

# CITY COUNCIL PROCEEDINGS

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## MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, October 16, 2001  
Tuesday, 9:04 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

Waris Jaffery, Islamic Society of Wichita, gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved

The Minutes of the regular meeting of October 2, 2001, were approved 7 to 0.

## AWARDS AND PRESENTATIONS

PROCLAMATIONS

Proclamations previously approved were presented.

RECOGNITION

International Students from various Countries were recognized.

## NEW BUSINESS

IRB - COX

### REQUEST FOR LETTER OF INTENT FOR INDUSTRIAL REVENUE BONDS – COX COMMUNICATION, INC. (District II)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 01-1134.

CoxCom, Inc., is a wholly owned subsidiary of Cox Communication, Inc., with its headquarters in Atlanta, Georgia. Cox Communication has been operating since 1962 and is the fifth largest cable television company. The bond proceeds will be used to finance the cost of acquiring, constructing and equipping a call center facility to be located in northeast Wichita. Cox Communication, Inc., is requesting City Council approval of a six-month Letter of Intent to issue Industrial Revenue Bonds in an amount not-to-exceed \$6,645,000, and a 50% five-year tax exemption on property purchased with bond proceeds.

Cox Communication, Inc., is a full-service provider of telecommunications products that include Cox Cable, local and long-distance telephone services, high speed internet services, advanced digital programming services and commercial voice and data services. The company has approximately 6.2 million customers nationwide and operates in more than 20 states. Cox Communication proposes to build a new 35,000 sf single story call center facility to be located in on 35th St. North the Comotara Industrial Park. The project will serve as the primary call center for the entire Cox Kansas cable and telecommunications system. Initially, the call center will retain 100 jobs within the Wichita area and

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relocate 24 jobs from other parts of Kansas to Wichita. Cox Communication has committed to hire at least 150 new employees to staff the call center. The project will be leased to CoxCom, Inc., which will serve as tenant in the IRB lease.

An analysis of the uses of project funds is:

## USES OF FUNDS

|                        |             |
|------------------------|-------------|
| Land                   | \$380,000   |
| Building Improvements  | 4,400,000   |
| Furniture              | 1,150,000   |
| Equipment              | 715,000     |
| Total Cost of Project: | \$6,645,000 |

The firm of Hinkle Elkouri Law Firm, L.L.C., will serve as bond counsel in the transaction. The bonds will be privately placed with a financial institution. Cox Communication agrees to maintain a current EEO/AA Plan on file with the City, and to comply with all Letter of Intent conditions contained in the City's IRB Policy. The cost/benefit analysis based on the fiscal and economic impact model of the Wichita State University's Center for Economic Development and Business Research reflects cost/benefit ratios as follows:

|                 |              |
|-----------------|--------------|
| City of Wichita | 5.13 to one  |
| Sedgwick County | 4.35 to one  |
| USD 375         | 4.22 to one  |
| State of Kansas | 19.35 to one |

Cox Communication agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds. Under the City's Business Incentive Policy, Cox Communication qualifies for a 100% five-plus-five-year tax exemption on property purchased with bond proceeds.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared

Motion --

Pisciotte moved that the Letter of Intent to CoxComm, Inc. and Cox Communications of Kansas, LLC, for Industrial Revenue Bonds in an amount not-to-exceed \$6,645,000 be approved; a 50% five-year tax exemption on all bond-financed property, subject to the Standard Letter of Intent Conditions, for a term of six-months, be granted; and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

## PBC BONDS

### WICHITA PUBLIC BUILDING COMMISSION (WSU) REFUNDING REVENUE BONDS.

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 01-1136.

On April 28, 1992, City Council authorized the Wichita Public Building Commission ("PBC") to issue improvement and refunding revenue bonds for Wichita State University in the amount of \$19.6 million. The bonds were issued in two series. The proceeds of the Series G-1 1992 bonds were used principally for the purpose of refinancing previously issued bonds that financed a variety of improvements to WSU over a period of years. Series G-2 1992 bonds were used principally to construct the Elliott School of communication building on the WSU campus.

On October 29, 1996, City Council also authorized the issuance of PBC revenue bonds, Series J, 1997, in the amount of \$2.2 million to finance the renovation of Cessna Stadium on the campus of Wichita State University. The Wichita Public Building Commission has received a request from Wichita State University for the use of PBC lease revenue bonds in the amount not-to-exceed \$18,000,000.

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The refunding bond proceeds will be used primarily to redeem currently existing debt and pay cost of issuance. The refunding bonds will be secured by an amended lease agreement between the University and the PBC covering all WSU facilities currently under PBC financing. To secure the payment of the bonds, the City and County are required to take official action designating sufficient monies from the 1.5-mill WSU Special Tax Levy for this purpose.

An estimated analysis of the uses of project funds is:

## USES OF FUNDS

|   |                  |
|---|------------------|
| Amount needed to redeem outstanding bonds         | \$17,577,765.93  |
| Bond insurance premium                            | 49,340.35        |
| Costs of issuance including underwriters discount | 188,800.00       |
| Miscellaneous                                     | <u>32,051.62</u> |
| Total cost of Refinancing Project                 | \$17,847,957.90  |

The debt service payments for the proposed PBC bonds will come from the county-wide 1.5-mill WSU Special Tax Levy and will be paid directly to the bond trustee (by the County Treasurer) as the tax revenues are received. Debt service requirements are expected to be reduced by approximately \$50,000 per year as a result of this transaction.

Initial debt service savings in the approximate amount of \$765,000 will be made available to WSU for various capital projects, subject to approval of the City Council and County Commission.

The firm of Hinkle Elkouri Law Firm, L.L.C., will serve as bond counsel in the transaction.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Knight moved that the issuance of Public Building Commission Refunding Bonds in an amount not-to-exceed \$18,000,000 to refinance revenue bonds for WSU be approved; the Ordinance authorizing use of WSU Special Levy for payment of the Refunding Bonds be placed on first reading; and the budget adjustment to the WSU Special Tax Levy Budget authorizing the use of debt service savings for the requested purpose be approved. Motion carried 7 to 0.

-- carried

## ORDINANCE

An Ordinance of the governing body of the City of Wichita, Kansas, designating the use of a portion of the special ad valorem tax levy made under the authority of K.S.A. 76-3A07 and Charter Ordinance No. 8, as authorized and permitted by K.S.A. 12-1757, Et Seq., as amended and supplemented by Charter Ordinance Nos. 107, 149 and 162 of the City, introduced and under the rules laid over.

## UTILITY BONDS

### **REFUNDING OF WATER AND SEWER SYSTEM UTILITY REVENUE BONDS, SERIES 1993A; WATER AND SEWER TEMPORARY IMPROVEMENT NOTES, SERIES 2001C.**

Ray Trail

Director of Finance reviewed the Item.

Agenda Report No. 01-1137.

In January 1993, the City Council approved the issuance of \$76,320,000 Water and Sewer Utility Refunding and Improvement Revenue Bonds, Series A and B, 1993. The Series B, 1993 Bonds, in the amount of \$49,865,000 were issued to redeem the balance of the outstanding bonds and provide new money to fund current capital improvement projects. The Series B, 1993 Bonds, were advance refunded in 1998. The Series A, 1993 Bonds, in the amount of \$26,455,000 were issued to advance refund a portion of the then outstanding Water and Sewer Revenue bonds. Staff has been studying the potential of creating debt service savings by refunding all of the remaining Series A, 1993 Bonds, and is seeking Council authorization to proceed with the structuring of a refunding bond issue.

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In addition to the negotiated offering, the City is planning to offer for sale one series of general obligation temporary notes in an amount not-to-exceed \$20,000,000, for the purpose of providing temporary financing for various utility capital improvement projects of the City. Bids will be solicited from major underwriting firms that have been active in bidding on other temporary note issues of the City.

Refunding - State and federal law permits local governments to issue refunding bonds which replace previously issued and currently outstanding bonds. If the bonds being refunded are currently callable, they can be refunded with "current refunding" bonds, without limitation as to the number of times the original bonds have been refunded. If the bonds being refunded are not currently callable, they can only be refunded with "advance refunding" bonds. Tax-exempt bonds originally issued after the effective date of the 1986 Tax Reform Act can only be advance refunded once. The Series A, 1993 Water and Sewer Bonds were advance refunding bonds and therefore could not be advance refunded when the Series B, 1993 Bonds were refunded in 1998. The Series A, 1993 Bonds are callable and would qualify for a current refunding at this time.

Staff has investigated the savings potential from a current refunding of all of the Series A, 1993 Bonds and has determined that significant savings in debt service costs can be obtained. Based on current bond market conditions, it is estimated that approximately \$1.96 million in debt service costs can be saved, with a present value of approximately \$1.3 million.

Staff sent out a Request for Proposal for negotiated underwriting services. The underwriting firm of George K. Baum submitted a proposal to be the Senior Managing Underwriter of a syndicate of other local underwriting firms included as part of the management team. The sale of the Series 1993 Bonds was negotiated with a consortium of local investment banking firms led by George K. Baum and Co. Staff recommends using a negotiated approach to selling the refunding bonds because of the potential for volatility in the bond market and the need for specialized structuring expertise and other administrative assistance that underwriters can provide in a negotiated transaction, which results in achieving optimal savings.

Temporary Notes - The proceeds from the sale of the Series 2001C, Water and Sewer Temporary Improvement Notes will be used to provide interim financing for various sewer utility at-large projects. In the past, construction costs were paid from cash balances in the Water and Sewer Fund, which were reimbursed with bond proceeds when projects were permanently financed with revenue bonds. In order to relieve pressure on water and sewer rates, Staff proposes issuing general obligation temporary notes to cover short-term construction financing requirements, and converting notes to revenue bonds as required.

The estimated present value savings of \$1.3 million is equal to approximately 7.8% of the par amount of the 1993 Bonds being refunded. Generally accepted standards for determining the appropriate level of savings in a bond refunding suggest a minimum 3% as the threshold. The proposed refunding far exceeds the minimum threshold. Based on that standard, the proposed refunding is financially sound.

The use of interim (temporary note) financing on water and sewer projects is one part of the strategies under development to mitigate future rate increases. Interim financing in advance of permanent bond financing allows for more precise sizing of bond issues and extends the bond financing and debt service to a future point in time when the projects are completed and serving the ratepayer, as well as a point when the utility revenue base has grown to a level to sustain debt service costs with a lower rate impact.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Knight moved that staff be authorized to proceed to negotiate a current refunding of Series A, 1993 Water and Sewer Revenue Bonds with the local underwriting syndicate led by George K. Baum & Co.; and to proceed with solicitation of bids for a temporary note sale to provide interim financing for sewer capital projects. Motion carried 7 to 0.

-- carried

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## LAND DONATION

### DONATION OF LAND FOR AFFORDABLE HOUSING AND PARKS DEVELOPMENT.

(District I)

Roy Johnson

Housing Services Director reviewed the Item.

Agenda Report # 01-1138.

The Tjaden family, owners of a tract of land located at 25th Street North and Minnesota (east of I-135), have approached the City regarding acceptance of donation of their property. The tract is a former site of oil field activity, which is no longer operating on the site.

The proposed site donation has been evaluated by the Property Management Office, Housing Services, Park, and Health Departments. Although the Health Department has issued a preliminary determination that a certain degree of underground water contamination is present (including contamination from residual materials left as a result of the existence of oil and natural gas wells), the site has been deemed to be potentially acceptable for residential development and possibly park use. Further testing is currently in process, utilizing Brownfields grant funding, in order to determine the extent of the ground water contamination and other potential environmental concerns.

Provided that test results prove favorable to the development of residential housing, and provided that construction/permanent mortgage loan financing can be secured, Housing Services proposes donation of the site by the City to POWER CDC, one of the City's designated non-profit Community Housing Development Organizations (CHDO) for the development of single-family owner-occupied housing. A plat will be completed identifying residential parcels and areas to be reserved for parks. The parcels/lots designated for home construction will be deeded to Power CDC, with individual lots deeded to qualifying, owner-occupant households, upon completion of home construction.

Should the additional testing prove unfavorable to the development of housing, the land would be utilized by the Park Department for the development of park and open space.

Funding for housing will be accomplished using private construction loans, HOME development funding, and HOME assistance for income eligible home buyers and special assessments. Ongoing maintenance of the park and open space will be provided by the Department of Park and Recreation.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --  
-- carried

Brewer moved that acceptance of donation of the land and the deeding of identified residential parcels to Power CDC; and identified parcels to the Park Department be approved. Motion carried 7 to 0.

## HOMELESS PLAN

### CCHA HOMELESS STRATEGY PLAN

Roy Johnson

Housing Services Director reviewed the Item.

Agenda Report No. 01-1139.

In 1997 the Homeless Task Force completed a proposed Comprehensive Plan to Address Homelessness. While this document was seen as a thoughtful plan which provided information on the needs of the homeless, staff review indicated refinements were necessary if it is to be a valuable and useful tool for public policy decisions relating to homelessness. In December 1999, City Council authorized funding to hire a consultant to work with the homeless providers and to make recommendations on amendments to the plan.

The consultant's report was presented to the City Council on October 17, 2000. At a subsequent workshop, the Council accepted the recommendation of the consultant to recognize the Community Council on Homelessness (formerly the Homeless Task Force) as the primary planning entity for homeless issues in the Wichita area.

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The Council requested staff to develop an action plan, based on the consultant's report. Subsequently, staff worked with the Community Council on Homelessness (CCHA) to develop a long-term strategic plan.

The CCHA has developed a strategic plan which contains both long term and short-term strategies for addressing homelessness. The plan is divided into eight (8) goal or target areas; Continuum of Care (i.e., goals related to how the overall system functions), Advocacy, Homeless Prevention, Outreach, Emergency Shelter, Transitional Housing, Permanent Supportive Housing, and Permanent Housing. Each area has specific objectives with the respective steps, timelines and responsible parties indicated.

The plan recognizes that while the past few years have seen the development of a database that captures information on persons seeking shelter, more in-depth information and research is needed in some areas before specific action steps can be delineated.

The document has been reviewed by the Housing Advisory Board and the DCC, and both recommended that it be forwarded to the City Council for approval.

The strategic plan does not assume or request additional local funding at this time. It does, however, attempt to identify those action steps which will require additional funding if implemented, without specifying the source. Most of the funding will be sought through federal grants or increased funding from the state, or private fundraising. Each action step will formulate its own set of strategic actions, funding needs, sources, etc., and progress reports to be provided.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --  
-- carried

Knight moved that the strategic plan be accepted and staff be directed to continue working with the CCHA in the implementation. Motion carried 7 to 0.

(Addendum Item No. 5a)

## **DAY REPORTING**

## **DAY REPORTING CENTER LOCATION AND FACILITY.**

Ray Trail

Director of Finance reviewed the Item.

Agenda Report No. 01-1187.

On May 8, 2001, the City Council approved an ordinance regulating the siting of Day Reporting Centers in the City. The ordinance addressed both siting and regulatory criteria for such facilities. The ordinance states the following:

Day Reporting Centers must be located 1,200 feet from an existing facility; day care centers or facilities; public parks or playgrounds; private businesses that primarily serve children and/or youth under the age of 18; public or private preschools, elementary, middle and high schools; residences or agencies that provide on-site services to persons suffering from developmental, physical or mental disabilities; taverns or drinking establishments; adult entertainment establishments; and residential zoning districts. The ordinance provides authority for the City Council to waive specific distance and separation and spacing requirements.

In addition to the siting and regulatory requirements (listed in the ordinance), facilities are governed by the City Zoning Code. The Code allows Day Reporting Centers in General and Limited Industrial Zoning Districts, only with a conditional use permit.

Staff has been working with the State and its operator, Community Solutions, Inc. (CSI), the private company selected by the Kansas Department of Corrections to manage the Wichita facility, on appropriate locations. Nearly 50 sites were considered by a review team. Possible locations were screened to sites considered the best locations. The City Council previously considered in detail two sites for a Day Reporting Center (Harry and McLean and 3400 block of North Ohio) owned by the City of Wichita. Both of these sites have not successfully cleared the regulatory hurdles for approval.

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A third, privately owned, site has been identified for City Council consideration:

703 East 21st Street North

Location - Existing office facility (occupied by SER through the end of 2001)  
Size - 43,200 sq. ft.  
Owner - Webb Road Development, Inc.  
Zoning - General Industrial  
Description - Existing 7,350 facility will be razed and a new 10,000 sq. ft., facility (142'x70') plus parking constructed to meet day reporting specifications  
Utilities - All Available

Area Description - South side of 21st between Emporia and Mosley with auto sales lot to the west, National-By-Products Cowhide Warehouse to the east, City drainage directly to the south, and industrial/commercial uses on the north side of 21st. The area on the north side of 21st was the old Stockyards Bank building that was a correctional placement residence prior to demolition. Railroad right-of-way, rail siding, I-135, old refinery, and drainageways provide additional barriers. The site would have to be replatted. Central Inspection has evaluated the area within 1,200 feet surrounding the proposed site and found no incompatible uses with the area. A conditional use permit will be required for the proposed use on this site.

If this site is designated by the City Council, the matter will also be referred to the District Advisory Board (VI) and the Alternative Correctional Housing Advisory Board for review and comment, as well as to the Metropolitan Area Planning Commission for approval of the conditional use permit.

Facility size requirements for Day Reporting Center are between 8,000 to 10,000 square feet. Based upon preliminary cost estimates, construction of a private facility of this size will necessitate lease payments of \$9,000 per month for the first five years and \$9,500 per month for the second five years. To reduce the monthly lease payments to within the \$6,500 monthly allotment available to CSI for the first five years (with an estimated \$7,000 monthly payment the second five years) will necessitate a one-time, front-end cash contribution by the City of \$215,000.

If the governing body approves funding of a portion of the Riverside Park capital project with \$215,000 in Community Development Block Grant (CDBG) funds, this would, in turn, free up a like amount of local funds to cover direct City participation in the day reporting facility construction.

If approved, City staff will also work with the Kansas Department of Corrections and CSI to develop necessary agreements that will address long-term funding options needed to retire the debt.

The developer has also requested a City's "wrap-around" guarantee on a ten year lease as part of the development package; this will be a moral obligation of the City subject to annual appropriation.

Ray Trail

Director of Finance, responding to questions, said this facility is only one of the facilities in this community providing like services.

The \$215,000 of CDBG funds would be a one-time cost. As projects are closed, the savings at the end of the year will be examined for reallocation to other projects.

Tom Docking

Tom Docking, representing CSI, spoke regarding the 21<sup>st</sup> Street interchange reconstruction, said the facility will have to have some kind of access. If CSI has a facility, even with temporary minimal access, CSI will be very happy.

Responding to a question, Mr. Docking said the facility is operated with Federal funds allocated to the State Department of Corrections. State Statutes call for establishment of three DRCs in Kansas – with one in Wichita. In 2001, Kansas Legislature approved a proviso allowing the Secretary of Corrections to override any municipality that does not approve a site.

Council Member Lambke Council Member Lambke stated that a facility should be constructed that \$6,500 per month would cover the cost of construction.

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- Council Member Brewer Council Member Brewer said he disagreed with using CDBG funding; however, if this site is not selected, there will be a site and it may be one the State selects. At this time, Council Member Brewer would have to support this site and the use of CDBG funds.
- Council Member Fearey Council Member Fearey also said she wished it were not necessary to use CDBG funds; however, the use for the facility is appropriate.
- Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.
- Motion -- Fearey moved that 703 East 21<sup>st</sup> Street be designated as the preferred site for a Day Reporting Center; negotiations of Agreements be authorized; filing of license application and C.U.P. be approved; and the necessary signatures be authorized. Motion carried 6 to 0. Lambke - no.
- carried

## ASSESSMENTS

(The following Item was taken up later in the meeting; action is shown in Agenda order.)

### **PUBLIC HEARING ON PROPOSED ASSESSMENTS IN FEBRUARY 2002 BOND SALE, SERIES 768:**

#### **A. ASSESSMENTS FOR 15 PAVING PROJECTS.**

Agenda Report No. 01-1140.

The Council was notified on September 11, 2001, that the proposed assessment rolls were on file for public inspection in the Debt Management Section of the Finance Department.

Notice of hearing was published September 14, 2001 ten days prior to the date of hearing, and affected property owners have been notified in writing. City personnel held an informal hearing October 1, 2001, for the paving projects.

Statements of Special Assessment will be mailed to the property owners on October 26, 2001. The property owners have 30 days from date of statement to pay their assessment and avoid paying interest. The assessments not paid during this period will be in the February 2002 Bond Sale and put on the 2002 tax roll over a 15-year spread at the interest rate for which the bonds sell.

These projects were initiated pursuant to provisions of K.S.A. 12-6a01 et seq. All were 100% petitions with the exception of:

Project No.:

472-83244

77.1% Petition

Hoover Court

#### PAVING PROJECTS:

a) (490-547/764449/472-82836) - Improving of 29th Street North from the west line of Topaz Circle to the west line of Pepper Ridge (north of 29th Street North, east of Tyler), as authorized by Resolution No. R-97-263, adopted July 15, 1997, and published July 18, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved August 11, 1998 in the amount of \$258,053.46, and the Supplemental Statement of Cost approved July 10, 2001 in the amount of \$28,951.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

b) (490-761/765650/472-82947) - Improving of Hickory, Birch, Firefly, Firefly Circle, and; Sidewalk along the north and south side of Hickory, and along the south side of Birch, and along the west side of Firefly (north of Central, west of 119th Street West), as authorized by Resolution No. R-98-254, adopted June 16, 1998, and published June 19, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 10, 2001 in the amount of \$205,737.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.



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- c) (490-630/765289/472-82951) – Improving of Decel Lane on the west side of Meridian Avenue from 210 feet south of the centerline of 33rd Street South to 390 feet south of the centerline of 33rd Street South (west of Meridian, north of I-235), as authorized by Resolution No. R-98-270, adopted June 23, 1998, and published June 26, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 13, 1999 in the amount of \$120,120.00, and The Amended Statement of Cost approved July 10, 2001 in the amount of \$126,375.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.
- d) (490-631/765297/472-82952) – Improving of south one-half of 33rd Street South from the west line of Gordon to the west line of Meridian (west of Meridian, north of I-235), as authorized by Resolution No. R-98-271, adopted June 23, 1998, and published June 26, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 10, 2001 in the amount of \$113,387.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.
- e) (490-746/765635/472-83108) - Improving of Mount Vernon from the east line of Lot 21, Block 7, to the east line of Lot 3, Block 5; Longlake Street from the north line of Mount Vernon to the east line of Lot 10, Block 6, and; Mount Vernon Court from the north line of Lot 22, Block 7, Smithmoor Ninth Addition, south to and including cul-de-sac (south of Harry, west of Greenwich), as authorized by Resolution No. R-99-234, adopted June 15, 1999, published June 18, 1999, and republished December 25, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 10, 2001 in the amount of \$140,061.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.
- f) (490-709/765598/472-83119) - Improving of Cherry Hill Circle, Castle Pines Street, Castle Pines Branch, and; Sidewalk on the south and west sides of Castle Pines Street from the east line of Cherry Hill Circle to the east line of Barton Creek Drive (west of Rock, south of 45th Street North), as authorized by Resolution No. R-99-334, adopted August 24, 1999, and published August 27, 1999. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 10, 2001 in the amount of \$360,244.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.
- g) (490-737/765626/472-83125) - Improving of Shefford, Shefford Circle, Shefford Court, Neville, Neville Court, (north of 21st, east of 119th Street West), as authorized by Resolution No. R-99-250, adopted June 22, 1999, published June 25, 1999, and Rescinding Resolution No. R-00-179, adopted May 2, 2000, published May 5, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 10, 2001 in the amount of \$1,122,027.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.
- h) (490-741/765630/472-83142) - Improving of Highland Springs, Aksarben, Remington Lane, Highland Springs Court, Remington Court; and Sidewalk along both sides of Highland Springs and on one side of Aksarben (west of 135th Street West, south of Central), as authorized by Resolution No. R-99-380, adopted September 28, 1999, published October 1, 1999, and Amending Resolution No. R-01-110, adopted March 20, 2001, published March 24, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 10, 2001 in the amount of \$336,135.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.
- i) (490-722/765611/472-83154) - Improving of Angel from the west line of Meridian to the east line of the drainage easement on Lot 1, Block 6; Edwards from the south line of Angel to the south line of Lot 8, Block 4; Edwards Circle and Angel Court from the north line of Angel to and including the Cul-De-Sacs (west of Meridian, north of 47th Street South), as authorized by Resolution No. R-99-425, adopted November 2, 1999, published November 5, 1999, and Rescinding Resolution No. R-00-143, adopted April 4, 2000, published April 7, 2000. Petition for this improvement was signed by owners

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representing 100 percent of the property ownership. The Statement of Cost approved July 10, 2001 in the amount of \$255,769.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

j) (490-730/765619/472-83182) - Improving of Churchill Circle from the east line of Red Brush to and including the loop; Churchill Courts from the north, east, south line of Churchill Circle to and including the cul-de-sacs, Wilson Farms 2nd Addition (south of 21st, west of Webb), as authorized by Resolution No. R-00-079, adopted February 15, 2000, and published February 18, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 10, 2001 in the amount of \$187,619.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

k) (490-732/765621/472-83186) - Improving of Regency Park from the north line of 26th Street North to the west line of Lot 6, Block 1; 26th Street North from the west line of Greenwich Road to the west line of Regency Park, and; 26th Street North Circle from the west line of Regency Park serving Lots 8, 9 and 10, Block 1, to and including the cul-de-sac (west of Greenwich, north of K-96), as authorized by Resolution No. R-00-064, adopted February 15, 2000, and published February 18, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 10, 2001 in the amount of \$342,071.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

l) (490-738/765627/472-83206) - Improving of Byron Court from the west line of Byron Street, west and south to and including the cul-de-sac, (north of Maple, west of Tyler), as authorized by Resolution No. R-00-095, adopted March 7, 2000, and published March 14, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 10, 2001 in the amount of \$107,967.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

m) (490-739/765628/472-83208) - Improving of Topeka from the north line of Murdock to the north line of Emporia and Traffic Signal Modifications (north of Murdock, east of Topeka), as authorized by Resolution No. R-00-114, adopted March 21, 2000, and published March 28, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 10, 2001 in the amount of \$159,219.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a square foot basis.

n) (490-743/765632/472-83231) - Improving of Decel and Left Turn Lanes in 21st Street North from the northwest corner of Lot 1, Block 1, to the northeast corner of Lot 1, Block 1 (south of 21st, west of Webb), as authorized by Resolution No. R-00-224, adopted May 16, 2000, published May 19, 2000, and republished July 16, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved December 12, 2000 in the amount of \$112,984.00, and The Amended Statement of Cost approved July 10, 2001 in the amount of \$154,446.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

o) (490-754/765643/472-83244) - Improving of Hoover Court from the west line of Hoover Avenue, west to and including the cul-de-sac, (west of Hoover, north of May Street), as authorized by Resolution No. R-00-256, adopted June 20, 2000, and published June 23, 2000. Petition for this improvement was signed by owners representing 77.1 percent of the property ownership. The Statement of Cost approved July 10, 2001 in the amount of \$122,111.00 is to be apportioned 100 percent payable by the improvement district. The cost has been assessed on a fractional basis.

K.S.A. 10-1009 provides that all assessments shall bear interest at such rate as the Governing Body determines, not to exceed the rate allowed by law.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

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Motion --  
-- carried

Knight moved that the public hearing be closed; the proposed assessments be approved; and the Ordinances be placed on first reading. Motion carried 7 to 0.

## ORDINANCE

a) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of 29th Street North from the west line of Topez Circle to the west line of Pepper Ridge (Project No. 490-547/764449/472-82836), introduced and under the rules laid over.

## ORDINANCE

b) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Hickory, Birch, Firefly, Firefly Circle, and; sidewalk along the north and south side of Hickory, and along the south side of Birch, and along the west side of Firefly (Project No. 490-761/765650/472-82947), introduced and under the rules laid over.

## ORDINANCE

c) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of decel lane on the west side of Meridian Avenue from 210 feet south of the centerline of 33rd Street South to 390 feet south of the centerline of 33rd Street South (Project No. 490-630/765289/472-82951), introduced and under the rules laid over.

## ORDINANCE

d) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of south one-half of 33rd Street South from the west line of Gordon to the west line of Meridian (Project No. 490-631/765297/472-82952), introduced and under the rules laid over.

## ORDINANCE

e) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Mount Vernon from the east line of Lot 21, Block 7, to the east line of Lot 3, Block 5; Longlake Street from the north line of Mount Vernon to the east line of Lot 10, Block 5, and; Mount Vernon Court from the north line of Lot 22, Block 7, Smithmoor Ninth Addition, south to and including cul-de-sac (Project No. 490-746/765635/472-83108), introduced and under the rules laid over.

## ORDINANCE

f) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Cherry Hill Circle, Castle Pines Street, Castle Pines Branch, and; sidewalk on the south and west sides of Castle Pines Street from the east line of Cherry Hill Circle to the east line of Barton Creek Drive (Project No. 490-709/765598/472-83119), introduced and under the rules laid over.

## ORDINANCE

g) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Shefford, Shefford Circle, Shefford Court, Neville, Neville Court (Project No. 490-737/765626/472-83125), introduced and under the rules laid over.

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## ORDINANCE

h) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Highland Springs, Aksarben, Remington Lane, Highland Springs Court, Remington Court; and sidewalk along both sides of Highland Springs and on one side of Aksarben (Project No. 490-741/765630/472-83142), introduced and under the rules laid over.

## ORDINANCE

i) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Angel from the west line of Meridian to the east line of the drainage easement on Lot 1, Block 5; Edwards from the south line of angel to the south line of Lot 8, Block 4; Edwards Circle and Angel Court from the north line of angel to and including the cul-de-sacs (Project No. 490-722/765611/472-83154), introduced and under the rules laid over.

## ORDINANCE

j) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving Churchill Circle from the east line of Red Brush to and including the Loop; Churchill Courts from the north, east, south line of Churchill Circle to and including the cul-de-sacs, Wilson Farms Second Addition (Project No. 490-730/765619/472-83182), introduced and under the rules laid over.

## ORDINANCE

k) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Regency Park from the north line of 25th Street North to the west line of Lot 5, Block 1; 26th Street North from the west line of Greenwich Road to the west line of Regency Park, and; 26th Street North Circle form the west line of Regency Park serving Lots 8, 9, and 10, Block 1, to and including the cul-de-sac (Project NO.490-732/765621/472-82186), introduced and under the rules laid over.

## ORDINANCE

l) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Byron Court from the west line of Byron Street, west and south to and including the cul-de-sac (Project No. 490-738/765627/472-83206), introduced and under the rules laid over.

## ORDINANCE

m) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Topeka from the north line of Murdock to the north line of Emporia, and traffic signal modifications (Project No. 490-739/765628/472-83208), introduced and under the rules laid over.

## ORDINANCE

n) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of decel lane left turn lanes in 21st Street north from the northwest corner of Lot 1, block 1, to the northeast corner of Lot 1, Block 1 (Project No. 490=743/765632/472-83231), introduced and under the rules laid over.

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## ORDINANCE

o) An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Hoover Court from the west line of Hoover Avenue, west to and including the cul-de-sac (Project No. 490-754/765643/472-83244), introduced and under the rules laid over.

**b) ASSESSMENTS FOR 22 WATER, 17 SEWER, AND 3 STORM SEWER PROJECTS.**

Agenda Report No. 01-1141.

The Council was notified September 11, 2001, for paving and September 18, 2001, for water, sewer and storm water sewer projects that the proposed assessment rolls were on file for public inspection in the Debt Management Office of the Department of Finance.

Notice of hearing was published September 14, 2001 for paving projects and September 21, 2001, for water and sewer projects, being not less than ten days prior to the date of hearing. Property owners have been notified in writing. City personnel held informal hearings October 1, 2001 for paving projects and October 8, 2001, on water and sewer projects.

Statement of Special Assessment will be mailed to the property owners on October 26, 2001, for paving, water and sewer projects. The property owners have 30 days from the date of statement to pay their assessment and avoid paying interest. The assessments not paid during this period will be in the February 2002 Bond Sale Series 768 and put on the 2002 tax roll over a 15 year spread at the interest rate for which the bonds sell.

These projects were initiated pursuant to provisions of K.S.A. 12-6a01 et seq. All were 100% petitions: with the following exceptions:

### WATER PROJECTS:

|           |       |  |
|-----------|-------|--|
| 448-89417 | 53.2% | Petition – Along Seneca between 63rd and 55th S.     |
| 448-89445 | 63.3% | Petition – Unplatted Tracts S of 55 S & E of Seneca. |
| 448-89446 | 57.0% | Petition – Additions in Vandale Area                 |
| 448-89451 | 50.9% | Petition - Jones Park Addition                       |
| 448-89485 | 83.3% | Petition - Springdale Lakes Addition                 |

### SEWER PROJECTS:

|           |       |   |
|-----------|-------|---|
| 468-83174 | 89.6% | Petition - Fawnwood & Unplatted “A” & “B” |
|-----------|-------|---|

### WATER PROJECTS:

a) (470-652/734982/448-89022) - Construction of Water Distribution System No. 448-89022 to serve Forest Lakes Addition, (north of 29th Street North, west of Ridge Road), as authorized by Resolution No. R-96-116 adopted April 2, 1996, published April 5, 1996, and rescinded by Resolution No. R-01-037 adopted February 6, 2001, and published February 10, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$31,051.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

b) (470-654/734984/448-89204) - Construction of Water Distribution System No. 448-89204 to serve Forest Lakes West Addition, (north of 29th Street North, east of Tyler Road), as authorized by Resolution No. R-97-339 adopted September 23, 1997, and published September 26, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$31,550.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

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- c) (470-651/734981/448-89222) - Construction of Water Distribution System No. 448-89222 to serve Industrial Air Center and Industrial Air Center Second Additions, (north of 37th Street North, west of Webb Road), as authorized by Resolution No. R-97-414 adopted November 25, 1997, and published November 28, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$38,482.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- d) (470-656/734986/448-89280) - Construction of Water Distribution System No. 448-89280 to serve Buckhead Third Addition, (north of Central, west of 119th Street West), as authorized by Resolution No. R-98-251 adopted June 16, 1998, published June 19, 1998, and amended by Resolution R-00-390 adopted November 7, 2000, and published November 13, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$41,994.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- e) (470-647/734977/448-89397) - Construction of Water Distribution System No. 448-89397 to serve Huntcrest Second Addition, (south of Harry, east of Webb Road), as authorized by Resolution No. R-99-238 adopted June 22, 1999, and published June 25, 1999. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$14,523.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- f) (470-637/734967/448-89398) - Construction of Water Distribution System No. 448-89398 to serve Smithmoor Ninth Addition, (south of Harry, west of Greenwich Road), as authorized by Resolution No. R-99-229 adopted June 15, 1999, and published June 18, 1999. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$37,845.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- g) (470-653/734983/448-89400) - Construction of Water Distribution System No. 448-89400 to serve Smithmoor Ninth Addition, (south of Harry, west of Greenwich Road), as authorized by Resolution No. R-99-228 adopted June 15, 1999, and published June 18, 1999. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$45,029.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- h) (470-606/734936/448-89417) - Construction of Water Distribution System No. 448-89417 to serve the following Additions: Chris-Clear, Roy Cox, Crease Second, Springs Second, Hansel, Rainbow Estates, Winter, Bone's South Seneca Gardens, Clarkdale Subdivision, Second and Third Clarkdale Subdivisions, and Unplatted Tracts of land located in Sections 29 and 30, Township 28 South and Range 1 East, (along Seneca, between 63rd Street South and 55th Street South), as authorized by Resolution No. R-99-326 adopted August 24, 1999, published August 27, 1999; and amended by Resolution No. R-01-280 adopted July 10, 2001, and published July 13, 2001. Petition for this improvement was signed by owners representing 53.2 percent of the improvement district area and 123 of 236 of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$513,533.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a square foot basis.
- i) (470-621/734951/448-89445) - Construction of Water Distribution System No. 448-89445 to serve Unplatted Tracts in Section 29, Township 28 South, Range 1 East, (south of 55th Street South, east of Seneca), as authorized by Resolution No. R-00-007 adopted January 11, 2000, published January 14, 2000; and rescinded by Resolution No. R-01-280 adopted July 10, 2001, and published July 13, 2001. Petition for this improvement was signed by owners representing 63.3 percent of the improvement district area and seven of eleven of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$31,262.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a square foot basis.

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- j) (470-620/734950/448-89446) - Construction of Water Distribution System No. 448-89446 to serve the following Additions: Vandale, Replat of Vandale Annex, Chamberlain's Second Sub. of Vandale and Gorrell's Sub. of Vandale, (west of Broadway, south of 55th Street South), as authorized by Resolution No. R-00-006 adopted January 11, 2000, and published January 14, 2000. Petition for this improvement was signed by owners representing 57.0 percent of the improvement district area and forty-one of sixty-seven of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$144,634.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a square foot basis.
- k) (470-627/734957/448-89451) - Construction of Water Distribution System No. 448-89451 to serve Jones Park Addition, (south of 37th Street North, east of Arkansas), as authorized by Resolution No. R-00-235 adopted February 1, 2000, and published February 4, 2000. Petition for this improvement was signed by owners representing 50.9 percent of the improvement district area and two of eleven property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$30,436.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a square foot basis.
- l) (470-642/734972/448-89464) - Construction of Water Distribution System No. 448-89464 to serve Hoskinson Second Addition, (west of Ridge Road, south of 37th Street North), as authorized by Resolution No. R-00-121 adopted March 28, 2000, and published March 31, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$45,976.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- m) (470-645/734975/448-89482) - Construction of Water Distribution System No. 448-89482 to serve Fruitvale Park Addition, (east of Hoover, south of Central), as authorized by Resolution No. R-00-245 adopted June 13, 2000, and published June 16, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$4,124.00 is to be apportioned 50 percent to the improvement district and 50% payable by the City at Large utilizing Water Utility Funds. The cost has been assessed on a square foot basis.
- n) (470-644/734974/448-89483) - Construction of Water Distribution System No. 448-89483 to serve Clubhouse Villas at Legacy Park Wilson Estates Addition, (south of 21st Street North, west of Webb Road), as authorized by Resolution No. R-00-242 adopted June 13, 2000, and published June 16, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$42,868.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a square foot basis.
- o) (470-649/734979/448-89485) - Construction of Water Distribution System No. 448-89485 to serve Springdale Lakes Addition, (south of Kellogg, east of 127th Street East), as authorized by Resolution No. R-00-279 adopted July 18, 2000, and published July 22, 2000. Petition for this improvement was signed by owners representing 83.3 percent of the improvement district area and five of six of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$45,766.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- p) (470-650/734980/448-89489) - Construction of Water Distribution System No. 448-89489 to serve Evergreen and Evergreen Second Additions, (north of 21st Street North, west of Maize Road), as authorized by Resolution No. R-00-307 adopted August 8, 2000, and published August 11, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$82,513.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- q) (470-657/734987/448-89491) - Construction of Water Distribution System No. 448-89491 to serve Killenwood Pointe Addition and Unplatted Tract adjacent to south line of Killenwood, (south of 13th Street North, east of Greenwich Road), as authorized by Resolution No. R-00-303 adopted August 1, 2000, published August 4, 2000, and rescinded by Resolution R-00-344 adopted September 26, 2000, and published September 30, 2000. Petition for this improvement was signed by owners representing

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100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$21,472.00 is to be apportioned 82 percent to the improvement district (\$17,607.04), with 18 percent payable by the City at Large (\$3,864.96) utilizing Water Utility Funds. The cost has been assessed on a fractional basis.

r) (470-658/734988/448-89495) - Construction of Water Distribution System No. 448-89495 to serve Killenwood Pointe Addition, (south of 13th Street North, east of Greenwich Road), as authorized by Resolution No. R-00-345 adopted September 26, 2000, and published September 30, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$23,178.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

s) (470-664/734994/448-89515) - Construction of Water Distribution System No. 448-89515 to serve Auburn Hills 12th Addition, (west of 135th Street West, south of Maple), as authorized by Resolution No. R-00-395 adopted November 14, 2000, and published November 18, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$113,351.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

t) (470-670/735000/448-89526) - Construction of Water Distribution System No. 448-89526 to serve Cedar View Second Addition, (north of Lincoln, east of Greenwich Road), as authorized by Resolution No. R-01-033 adopted January 23, 2001, and published January 27, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$44,085.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

u) (470-672/735002/448-89537) - Construction of Water Distribution System No. 448-89537 to serve White Tail Addition, (south of 13th Street North, west of 127th Street East), as authorized by Resolution No. R-01-020 adopted January 23, 2001, and published January 27, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$16,558.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

v) (470-679/735009/448-89562) - Construction of Water Distribution System No. 448-89562 to serve the O'Dell-White Addition, (south of Maple, west of 135th Street West), as authorized by Resolution No. R-01—132 adopted April 3, 2001, and published April 7, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$3,210.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

## **SEWER PROJECTS:**

a) (480-539/743851/468-82230) - Construction of Lateral 78. Sanitary Sewer No. 23, to serve Industrial Air Center Addition, (north of 37th Street North, west of Webb Road), as authorized by Resolution No. R-92-509 adopted September 15, 1992, and published September 18, 1992. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$30,640.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

b) (480-236/741447/468-82272) - Construction of Lateral 125, Main 4, Sanitary Sewer No. 23, to serve P.M.T. Addition and Unplatted Tract located in Section 29, Townsh0ip 26 South, Range 1 East, (South of 37th Street North, east of Seneca), as authorized by Resolution No. R-93-069 adopted February 23, 1993, published February 26, 1993; and rescinded by Resolution No. R-00-298 adopted August 1, 2000, and published August 4, 2000, and corrected and republished June 22, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$23,572.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.



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- c) (480-542/743854/468-82768) - Construction of Lateral 383, Southwest Interceptor Sewer, to serve Forest Lakes West Addition, (north of 29th Street North, east of Tyler Road), as authorized by Resolution No. R-97-345 adopted September 23, 1997, and published September 26, 1997. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$41,912.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- d) (480-525/743837/468-82865) - Construction of Lateral 405, Southwest Interceptor Sewer, to serve Y.M.C.A. South Addition, (south of 31st Street South, west of Meridian), as authorized by Resolution No. R-98-265 adopted June 23, 1998, and published June 26, 1998. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$52,418.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- e) (480-540/743852/468-83053) - Construction of Lateral 64, Main 9, Sanitary Sewer No. 23, to serve Comotara Industrial Park Fourth Addition, (west of Webb Road, south of 37th Street North), as authorized by Resolution No. R-00-069 adopted February 15, 2000, and published February 18, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$38,651.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- f) (480-535/743847/468-83055) - Construction of Lateral 32, District E, Sanitary Sewer No. 12, to serve Power C.D.C. Addition, (south of 21st Street North, east of Hydraulic), as authorized by Resolution No. R-99-523 adopted December 21, 1999, and published December 24, 1999. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$4,761.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- g) (480-514/743826/468-83061) - Construction of Lateral 139, Main 4, Sanitary Sewer No. 23 to serve an Unplatted Tract in Section 32, Township 26 South, Range 1 East, (south of 37th North, west of Broadway), as authorized by Resolution No. R-00-017 adopted January 25, 2000, and published January 28, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$5,342.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- h) (480-519/743831/468-83062) - Construction of Lateral 2, Main 26, War Industries Sewer, to serve Regency Park Addition, (west of Greenwich Road, north of K-96), as authorized by Resolution No. R-00-061 adopted February 15, 2000, published February 18, 2000, and rescinded by Resolution R-00-183 adopted May 2, 2000, and published May 5, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$116,039.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- i) (480-523/743835/468-83083) - Construction of Lateral 32, Main 1, Cowskin Interceptor Sewer, to serve Unplatted Tracts in Section 19, Township 27 South, Range 1 West, (north of Maple, west of Maize Road), as authorized by Resolution No. R-00-115 adopted March 28, 2000, and published March 31, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$10,172.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.
- j) (480-545/743857/468-83090) - Construction of Lateral 448, Southwest Interceptor Sewer, to serve Hoskinson Second Addition, (west of Ridge Road, south of 37th Street North), as authorized by Resolution No. R-00-122 adopted March 28, 2000, and published March 31, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$168,631.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

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k) (480-534/743846/468-83116) - Construction of Main 11, Sanitary Sewer No. 23, to serve Sawmill Creek Addition, (east of Rock Road, north of 45th Street North), as authorized by Resolution No. R-00-246 adopted June 13, 2000, and published June 16, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$281,007.00 is to be apportioned 50 percent to the improvement district, with 50% payable by the City at large utilizing Water Utility Funds. The cost has been assessed on a fractional basis.

l) (480-531/743843/468-83119) - Construction of Lateral 33, Main 24, War Industries Sewer, to serve Legacy Park Wilson Estates Addition, (south of 21st Street, west of Webb Road), as authorized by Resolution No. R-00-243 adopted June 13, 2000, and published June 16, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$88,860.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a square foot basis.

m) (480-533/743845/468-83120) - Construction of Lateral 457, Southwest Interceptor Sewer, to serve an Unplatted Tract of Land in Section 13, Township 28 South, Range 1 West, (west of Meridian, north of 47th Street South), as authorized by Resolution No. R-00-259 adopted June 27, 2000, and published June 30, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$7,557.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a square foot basis.

n) (480-543/743855/468-83128) - Construction of Lateral 459, Southwest Interceptor Sewer, to serve Cessna and C.E.C.U. Additions and Unplatted Tract No. 1 and No. 2, located in Section 3, Township 28 South, Range 1 West, (south of K-42, east of Ridge Road), as authorized by Resolution No. R-00-337 adopted September 12, 2000, and published September 18, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$147,958.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

o) (480-538/743850/468-83147) - Construction of Lateral 461, Southwest Interceptor Sewer, to serve Evergreen and Evergreen Second Additions, (north of 21st Street, west of Maize Road), as authorized by Resolution No. R-00-309 adopted August 8, 2000, and published August 11, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$69,873.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

p) (480-548/743860/468-83174) - Construction of Lateral 25, Cowskin Interceptor Sewer, to serve Fawnwood Addition and Unplatted Tract "A" and "B" in Section 26, Township 27 South, Range 2 West, (west of 135th Street West, North of Kellogg), as authorized by Resolution No. R-00-356 adopted October 17, 2000, and published October 21, 2000. Petition for this improvement was signed by owners representing 89.6 percent of the improvement district area and one of two property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$24,901.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a square foot basis.

q) (480-550/743862/468-83188) - Construction of Lateral 1, Main 1, Northwest Interceptor Sewer, to serve Newmarket Square, Tract 1 Addition, (north of 21st, west of Maize Road), as authorized by Resolution No. R-00-422 adopted December 12, 2000, and published December 16, 2000. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001, in the amount of \$27,455.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a square foot basis.

## **STORM WATER SEWER:**

a) (485-178/751287/468-83033) – Construction of Storm Water Sewer No. 527 to serve Highland Springs Second Addition, (west of 135th Street West, south of Central), as authorized by Resolution No. R-99-378 adopted September 28, 1999, and published October 1, 1999. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement

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of Cost approved July 17, 2001 of \$261,289.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

b) 485-173/751282/468-83046) - Construction of Storm Water Sewer No. 150 to serve Angel Acres Addition, (west of Meridian, north of 47th Street South), as authorized by Resolution No. R-99-423 adopted November 2, 1999, and published November 5 1999. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001 of \$42,791.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a fractional basis.

c) (485-179/751288/468-83104) - Construction of Storm Water Drain No. 153. to serve West Ridge Estates Addition, (south of 29th Street North, east of 119th Street West), as authorized by Resolution No. R-00-193 adopted May 2, 2000, published May 5, 2000, and amended by Resolution No. R-01-024 adopted January 23, 2001 and published January 27, 2001. Petition for this improvement was signed by owners representing 100 percent of the property ownership. The Statement of Cost approved July 17, 2001 of \$538,497.00 is to be apportioned 100 percent to the improvement district. The cost has been assessed on a square foot basis.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --  
-- carried

Knight moved that the public hearing be closed and the proposed assessments be approved; and the Ordinances be placed on first reading. Motion carried 7 to 0.

## **WATER PROJECTS:**

a) (470-652/734982/448-89022)

### ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89022 to serve Forest Lakes Addition, (north of 29th Street North, west of Ridge Road), introduced and under the rules laid over.

b) (470-654/734984/448-89204)

### ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89204 to serve Forest Lakes West Addition, (north of 29th Street North, east of Tyler Road), introduced and under the rules laid over.

c) (470-651/734981/448-89222)

### ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89222 to serve Industrial Air Center and Industrial Air Center Second Additions, (north of 37th Street North, west of Webb Road), introduced and under the rules laid over.

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d) (470-656/734986/448-89280)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89280 to serve Buckhead Third Addition, (north of Central, west of 119th Street West), introduced and under the rules laid over.

e) (470-647/734977/448-89397)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89397 to serve Huntcrest Second Addition, (south of Harry, east of Webb Road), introduced and under the rules laid over.

f) (470-637/734967/448-89398)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89398 to serve Smithmoor Ninth Addition, (south of Harry, west of Greenwich Road), introduced and under the rules laid over.

g) (470-653/734983/448-89400)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89400 to serve Smithmoor Ninth Addition, (south of Harry, west of Greenwich Road), introduced and under the rules laid over.

h) (470-606/734936/448-89417)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89417 to serve the following Additions: Chris-Clear, Roy Cox, Crease Second, Springs Second, Hansel, Rainbow Estates, Winter, Bone's South Seneca Gardens, Clarkdale Subdivision, Second and Third Clarkdale Subdivisions, and Unplatted Tracts of land located in Sections 29 and 30, Township 28 South and Range 1 East, (along Seneca, between 63rd Street South and 55th Street South), introduced and under the rules laid over.

i) (470-621/734951/448-89445)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89445 to serve Unplatted Tracts in Section 29, Township 28 South, Range 1 East, (south of 55th Street South, east of Seneca), introduced and under the rules laid over.

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j) (470-620/734950/448-89446)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89446 to serve the following Additions: Vandale, Replat of Vandale Annex, Chamberlain' Second Sub. of Vandale and Gorrell's Sub. of Vandale, (west of Broadway, south of 55th Street South), introduced and under the rules laid over.

k) (470-627/734957/448-89451)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89451 to serve Jones Park Addition, (south of 37th Street North, east of Arkansas), introduced and under the rules laid over.

l) (470-642/734972/448-89464)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89464 to serve Hoskinson Second Addition, (west of Ridge Road, south of 37th Street North), introduced and under the rules laid over.

m) (470-645/734975/448-89482)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89482 to serve Fruitvale Park Addition, (east of Hoover, south of Central), introduced and under the rules laid over.

n) (470-644/734974/448-89483)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89483 to serve Clubhouse Villas at Legacy Park Wilson Estates Addition, (south of 21st Street North, west of Webb Road), introduced and under the rules laid over.

o) (470-649/734979/448-89485)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89485 to serve Springdale Lakes Addition, (south of Kellogg, east of 127th Street East), introduced and under the rules laid over.

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p) (470-650/734980/448-89489)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89489 to serve Evergreen and Evergreen Second Additions, (north of 21st Street North, west of Maize Road), introduced and under the rules laid over.

q) (470-657/734987/448-89491)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89491 to serve Killenwood Pointe Addition and Unplatted Tract adjacent to south line of Killenwood, (south of 13th Street North, east of Greenwich Road), introduced and under the rules laid over.

r) (470-658/734988/448-89495)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89495 to serve Killenwood Pointe Addition, (south of 13th Street North, east of Greenwich Road), introduced and under the rules laid over.

s) (470-664/734994/448-89515)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89515 to serve Auburn Hills 12th Addition, (west of 135th Street West, south of Maple), introduced and under the rules laid over.

t) (470-670/735000/448-89526)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89526 to serve Cedar View Second Addition, (north of Lincoln, east of Greenwich Road), introduced and under the rules laid over.

u) (470-672/735002/448-89537)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89537 to serve White Tail Addition, (south of 13th Street North, west of 127th Street East), introduced and under the rules laid over.

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v) (470-679/735009/448-89562)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89562 to serve the O'Dell-White Addition, (south of Maple, west of 135th Street West), introduced and under the rules laid over.

## SEWER PROJECTS:

a) (480-539/743851/468-82230)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 78. Sanitary Sewer No. 23, to serve Industrial Air Center Addition, (north of 37th Street North, west of Webb Road), introduced and under the rules laid over.

b) (480-236/741447/468-82272)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 125, Main 4, Sanitary Sewer No. 23, to serve P.M.T. Addition and Unplatted Tract located in Section 29, Township 26 South, Range 1 East, (South of 37th Street North, east of Seneca), introduced and under the rules laid over.

c) (480-542/743854/468-82768)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 383, Southwest Interceptor Sewer, to serve Forest Lakes West Addition, (north of 29th Street North, east of Tyler Road), introduced and under the rules laid over.

d) (480-525/743837/468-82865)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 405, Southwest Interceptor Sewer, to serve Y.M.C.A. South Addition, (south of 31st Street South, west of Meridian), introduced and under the rules laid over.

e) (480-540/743852/468-83053)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 64, Main 9, Sanitary Sewer No. 23, to serve Comotara Industrial Park Fourth Addition, (west of Webb Road, south of 37th Street North), introduced and under the rules laid over.

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f) (480-535/743847/468-83055)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 32, District E, Sanitary Sewer No. 12, to serve Power C.D.C. Addition, (south of 21st Street North, east of Hydraulic), introduced and under the rules laid over.

g) (480-514/743826/468-83061)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 139, Main 4, Sanitary Sewer No. 23 to serve an Unplatted Tract in Section 32, Township 26 South, Range 1 East, (south of 37th North, west of Broadway), introduced and under the rules laid over.

h) (480-519/743831/468-83062)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 2, Main 26, War Industries Sewer, to serve Regency Park Addition, (west of Greenwich Road, north of K-96), introduced and under the rules laid over.

i) (480-523/743835/468-83083)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 32, Main 1, Cowskin Interceptor Sewer, to serve Unplatted Tracts in Section 19, Township 27 South, Range 1 West, (north of Maple, west of Maize Road), introduced and under the rules laid over.

j) (480-545/743857/468-83090)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 448, Southwest Interceptor Sewer, to serve Hoskinson Second Addition, (west of Ridge Road, south of 37th Street North), introduced and under the rules laid over.

k) (480-534/743846/468-83116)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Main 11, Sanitary Sewer No. 23, to serve Sawmill Creek Addition, (east of Rock Road, north of 45th Street North), introduced and under the rules laid over.



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l) (480-531/743843/468-83119)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 33, Main 24, War Industries Sewer, to serve Legacy Park Wilson Estates Addition, (south of 21st Street, west of Webb Road), introduced and under the rules laid over.

m) (480-533/743845/468-83120)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 457, Southwest Interceptor Sewer, to serve an Unplatted Tract of Land in Section 13, Township 28 South, Range 1 West, (west of Meridian, north of 47th Street South), introduced and under the rules laid over.

n) (480-543/743855/468-83128)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 459, Southwest Interceptor Sewer, to serve Cessna and C.E.C.U. Additions and Unplatted Tract No. 1 and No. 2, located in Section 3, Township 28 South, Range 1 West, (south of K-42, east of Ridge Road), introduced and under the rules laid over.

o) (480-538/743850/468-83147)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 461, Southwest Interceptor Sewer, to serve Evergreen and Evergreen Second Additions, (north of 21st Street, west of Maize Road), introduced and under the rules laid over.

p) (480-548/743860/468-83174)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 25, Cowskin Interceptor Sewer, to serve Fawnwood Addition and Unplatted Tract "A" and "B" in Section 26, Township 27 South, Range 2 West, (west of 135th Street West, North of Kellogg), introduced and under the rules laid over.

q) (480-550/743862/468-83188)

## ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Lateral 1, Main 1, Northwest Interceptor Sewer, to serve Newmarket Square, Tract 1 Addition, (north of 21st, west of Maize Road), introduced and under the rules laid over.

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## STORM WATER SEWER:

a) (485-178/751287/468-83033)

### ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Sewer No. 527 to serve Highland Springs Second Addition, (west of 135th Street West, south of Central), introduced and under the rules laid over.

b) (485-173/751282/468-83046)

### ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Sewer No. 150 to serve Angel Acres Addition, (west of Meridian, north of 47th Street South), introduced and under the rules laid over.

c) (485-179/751288/468-83104)

### ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Storm Water Drain No. 153. to serve West Ridge Estates Addition, (south of 29th Street North, east of 119th Street West), introduced and under the rules laid over.

## CITY COUNCIL AGENDA

### **BOARD APPTS.**

### **BOARD APPOINTMENTS.**

Motion --  
-- carried

Martz appointed Paul Cavanaugh to District Advisory Board V and moved that the appointment be approved. Motion carried 7 to 0.

Motion --  
-- carried

Lambke appointed John Rogers to the Board of Zoning Appeals and moved that the appointment be approved. Motion carried 7 to 0.

Motion --  
-- carried

Knight appointed Lt. Wanda Parker Givens to the Alternative Correctional Housing Board and moved that the appointment be approved. Motion carried 7 to 0.

## CONSENT AGENDA

Knight moved that the Consent Agenda, including Addendum Items, except Item 29, be approved as consensus Items. Motion carried 7 to 0.

### **BOARD OF BIDS**

### **REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED OCTOBER 15, 2001.**

Bids were opened October 5 and October 12, 2001, pursuant to advertisements published on:

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PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications.

Intersection improvements at 21st Street North and Arkansas Avenue N/A - 21st Street North and Arkansas. (87 N-0194-01/472-82783/706799/200249) Traffic to be maintained during construction using flagpersons and barricades. (District VI)

Cornejo & Sons Construction - \$591,473.85 (Award subject to KDOT approval)

Water main replacement at 21st Street North and Arkansas Avenue, N/A - 21st Street North and Arkansas. (448-89102/636110/771508) Traffic to be maintained during construction using flagpersons and barricades. (District VI)

WB Carter Construction - \$69,546.00

Parkridge from the north line of Lot 28, Block C, north to the south line of Ryan; Ryan from the east line of 119th Street West, east to the west line of Ryan Place; Ryan Place from the north line of Ryan, north, east, south, and west back to the east line of Ryan; Ryan Courts from the north line of Ryan, north to and including the cul-de-sac, from the south line of Ryan, south and east to and including the cul-de-sac; Parkridge Court from the east line of Parkridge, east to and including the cul-de-sac and; sidewalk on one side of Ryan and Parkridge to serve West Ridge Estates - south of 29th Street North, east of 119th Street West. (472-83235/765691/490802) Does not affect existing traffic. (District V)

Ritchie Paving - \$468,353.00

34th Street North from a point 600 feet east of the east line of Ridge Road, east to the east line of Lot 15, Block C, Ridge Port North 4th Addition; on Hazelwood, from the south line of the plat, north to the south line of 34th Street North; and on Ridge Port, from the north line of 34th Street North, north to the north line of Lot 10, Block A, Ridge Port North 4th Addition. 34th Court North, from the north line of 34th Street North, north to and including the cul-de-sac; and on Hazelwood Court, from the east line of Hazelwood, east to and including the cul-de-sac. Sidewalk to be constructed along one side of 34th Street North from a point 600 feet east of the east line of Ridge Road, east to the east line of Lot 15, Block C, Ridge Port North 4th Addition; and along one side of Ridge Port, from the north line of 34th Street North, north to the north line of lot 10, Block A to serve Ridge Port North Third and Fourth, Ridge Port North - south of 37th Street North, east of Ridge. (472-83275/472-83113/765657 /765700/490768/490811) Does not affect existing traffic. (District V)

Ritchie Paving - \$738,386.50

Storm Water Drain 142 and 159 to serve Gateway Center Addition - south of 13th Street North, east of Greenwich. (468-82975/468-83208/751295/751294/485186 /485185) Does not affect existing traffic. (District II)

Pearson Excavation - \$257,503.00 (Total aggregate bid)

2001 contract maintenance, South Broadway Bridge over the railroad tracks expansion joint and deck repairs - south of 31st Street South on Broadway. (472-83427/706809/405274) Traffic to be maintained during construction using flagpersons and barricades. (District III)

Dondlinger & Sons - Award Contract for \$100,000.00

Lateral 316, Four Mile Creek Sewer to serve Rocky Creek Addition and Rocky Creek Second Addition - north of 13th Street North, east of 127th Street East. (468-83325/743886/480574) Does not affect existing traffic. (District II)

Mies Construction- \$66,273.00

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Storm Water Sewer 541 to serve Ridge Port North Third and Fourth Additions - south of 37th Street North, east of Ridge. (468-83165/751303/485194) Does not affect existing traffic. (District V)

Wittwer Enterprises - \$332,545.00 (Negotiated to Engineer's estimate)

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

VARIOUS DEPARTMENTS: Elevator Maintenance. (130500, 130599, 130575)

ThyssenKrupp Elevator - \$ 309.00 (Group I/per month)  
\$1,678.00 (Group II/per month)  
\$ 80.00 (Group III/per month)  
\$ 348.00 (Group IV/per month)  
\$1,007.00 (Group V/per month)  
\$ 177.00 (Group VI/per month)  
\$ 172.00 (Group VII/per month)  
\$ 266.00 (Group VIII/per month)  
\$ 452.00 (Group IX/per month)  
\$1,861.00 (Group X/per month)  
\$ 311.00 (Group XI/per month)  
\$ 80.00 (Group XII/per month)  
\$ 340.00 (Group XIII/per month)  
\$ 340.00 (Group XIV/per month)  
\$ 80.00 (Group XV/per month)  
\$ 80.00 (Group XVI/per month)  
\$ 80.00 (Group XVII/per month)  
\$ 80.00 (Group XIX/per month)  
\$ 80.00 (Group XX/per month)  
\$ 80.00 (Group XXI/per month)  
\$ 70.00 (Group XXII/per month)

WATER & SEWER DEPARTMENT/ADMINISTRATION DIVISION: 2001 Large Valve Replacement Program. (636108)

W B Carter Construction Co. - \$266,000.00 (Total net bid)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Wichita City Council Chambers Technical Media System Equipment and Installation. (791566)

Ford Audio-Visual Systems Inc. - \$298,791.00 (Total net base bid)  
\$ 13,663.00 (Alternate #1/add)

PUBLIC WORKS DEPARTMENT/MAINTENANCE DIVISION: Salt and Sand for Ice Control. (132209)

Ritchie Sand Inc.- \$20.07\* (Group 2/cost per ton)  
\$18.31\* (Group 2/cost per ton)  
\$23.50\*\* (Group 3/cost per ton)  
\$ 6.01 (Group 5/cost per ton)  
\*3,650 tons  
\*\*2,000 tons

WATER & SEWER DEPARTMENT/SEWAGE TREATMENT DIVISION: Northeast Water Pump Station Project 468-83069. (624503)

Utility Contractors, Inc. - \$150,850.00 (Total net bid)

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PARK DEPARTMENT/RECREATION DIVISION: Playground Equipment Installation and Improvements at Various Park Sites. (785999)

Athco - \$625,627.17 (Total net bid)

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

## LICENSE APPS.

### APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

| <u>Renewal</u>   | <u>2001</u>                    | <u>(Consumption on Premises)</u>  |
|------------------|--------------------------------|-----------------------------------|
| Jo Lynn Blood    | Pine Bay Golf Course, Inc.*    | 6615 South Grove                  |
|                  |                                | <u>(Consumption off Premises)</u> |
| Dennis Maloney   | Express Petroleum LCC          | 441 South Greenwich Toad          |
| Abbas Rizvi      | Ar Inc. (dba Petro America)    | 2700 North Amidon                 |
| Stan Edde        | Falley's Inc (Food 4 Less #18) | 6727 West Central                 |
| Stan Edde        | Falley's Inc (Food 4 Less #23) | 2141 South Meridian               |
| Stan Edde        | Falley's Inc (Food 4 Less #25) | 2021 North Amidon                 |
| Stan Edde        | Falley's Inc (Food 4 Less #37) | 3020 East Douglas                 |
| Stan Edde        | Falley's Inc (Food 4 Less #38) | 640 North West Street             |
| Stan Edde        | Falley's Inc (Food 4 Less #40) | 1212 South Woodlawn               |
| Stan Edde        | Falley's Inc (Food 4 Less #41) | 2445 South Seneca                 |
| P.D. Bairrington | North Rock 66 #27396           | 2190 North Rock Road              |
| P.D. Bairrington | Westway 66 #27217              | 2356 South Seneca                 |

\*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion --  
-- carried

Knight moved that the License Applications be approved subject to Staff review and approval. Motion carried 7 to 0.

## PLANS AND SPECS.

### SUBDIVISION PLANS AND SPECIFICATIONS.

There were no Subdivision Plans and Specifications submitted.

## PRELIMINARY EST.

### PRELIMINARY ESTIMATES:

- a) Lincoln Bridge at Fabrique - Lincoln between Oliver and Woodlawn. (87 N-0141-01/472-83044/448-89348/468-83079/715685/636077/620280/241099/779157 /660405) Traffic to be maintained during construction using flagpersons and barricades. (District II & III) - \$262,290.55
- b) Asphalt parking lot improvements at Evergreen and Atwater - north of Maple, east of Amidon. (472-83434/132225) Traffic to be maintained during construction using flagpersons and barricades. (District I & VI) - \$170,000.00

Motion -- carried

Knight moved that the preliminary estimates be received and filed. Motion carried 7 to 0.

## DEEDS/EASEMENTS

### DEEDS AND EASEMENTS:

- a) Sanitary Sewer easement from the City of Wichita for a tract of land in Lot 1, Block1, Sewage Treatment Plant No. 3 (NW) to Wichita, Sedgwick County, Kansas (NW Sewer Improvements, Main 3, OCA# 651002). No cost to City.

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b) Sanitary Sewer easement dated September 4th, 2001, from the Catholic Diocese of Wichita for a tract of land in Lot 1, St. Francis of Assisi Park II, Wichita, Sedgwick County, Kansas (Private Project, OCA# 607861). No cost to City.

Motion -- carried

Knight moved that the documents be accepted. Motion carried 7 to 0.

## PETITION

### **PETITION TO CONSTRUCT A SANITARY SEWER TO SERVE DUGAN INDUSTRIAL THIRD ADDITION AND UNPLATTED TRACTS AT MAIZE ROAD, NORTH OF K-42 HIGHWAY.** (District V)

Agenda Report No. 01-1142.

The Petition has been signed by two owners, representing 100% of the improvement district.

This project will provide main sanitary sewer service to an industrial park located along Maize Road, north of K-42 Highway.

The Petition totals \$125,000 with 50% assessed to the improvement district and 50% paid by the Sewer Utility.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

### RESOLUTION NO.01-425.

Resolution of findings of advisability and Resolution authorizing construction of Main 3, Cowskin Interceptor Sewer Part II, (at Maize Road, north of K-42-Highway) 468-83330, City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## STREET CLOSURES

### **CONSIDERATION OF STREET CLOSURES/USES.**

Agenda Report No. 01-1143.

In accordance with the Special Events Procedure, event sponsors are to notify adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

The following street closure requests have been submitted:

1. Boy Scout Jamboree  
Friday, October 19, 2001 beginning at 5:00 p.m.  
to Sunday, October 21, 2001 ending at 12:00 noon  
Stackman from Murdock to Nims
2. Soldiers & Sailors Monument Rededication Ceremony  
Sunday, November 11, 2001; 1:00 p.m. to 4:30 p.m.  
Central Avenue from Market to Main

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Motion --

Knight moved that the street closure requests be approved subject to: (1) Event sponsors notifying every property and/or business adjoining any portion of the closed street; (2) Coordination of event arrangements with City Staff; (3) Hiring off-duty public safety officers as required by the Police

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Department; (4) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; (5) Submitting a Certificate of Insurance evidencing general liability insurance which covers the event and its related activities, including the naming of the City as an additional insured with respect to the event's use of the closed City streets. Motion carried 7 to 0.

-- carried

## **STREET CLOSURES      CONSIDERATION OF STREET CLOSURES/USES.**

Agenda Report No. 01-1192

In accordance with the Special Events Procedure, event sponsors are to notify adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

The following street closure requests have been submitted:

1.      Law Enforcement Torch Run for Special Olympics Kansas Commemorative Run  
Saturday, November 3, 2001; 1:00 p.m. to 2:00 p.m.
  - Main Street from Central Avenue to 3rd
2.      Law Enforcement Torch Run for Special Olympics Kansas Unified Sports/Fire Truck Pull  
Friday, November 2, 2001; 2:00 – 5:30 p.m.
  - Waterman from Main to Wichita
  - Water from Waterman to Lewis
  - Wichita from Waterman to Lewis
3.      Franklin Elementary School Fun Run  
Thursday, October 25, 2001; 2:00 to 4:00 p.m.
  - Burton from Elizabeth to Glenn
  - Elizabeth            th from Maple to Douglas
  - Fern from Maple to Douglas
  - Millwood from Maple to Douglas
  - Vine from Maple to Douglas
  - Glenn from Maple to Douglas

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Motion --

Knight moved that the street closure requests be approved subject to: (1) Event sponsors notifying every property and/or business adjoining any portion of the closed street; (2) Coordination of event arrangements with City Staff; (3) Hiring off-duty public safety officers as required by the Police Department; (4) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; (5) Submitting a Certificate of Insurance evidencing general liability insurance which covers the event and its related activities, including the naming of the City as an additional insured with respect to the event's use of the closed City streets. Motion carried 7 to 0.

-- carried

## **OAK RIDGE AGMT.      RESPREAD ASSESSMENTS – OAK RIDGE SECOND ADDITION – NORTH OF 29TH STREET NORTH, EAST OF TYLER. (District V)**

Agenda Report No. 01-1144

The developer, Freedom Development, Inc., has submitted an Agreement to respread special assessments within Oak Ridge 2nd Addition.

The land was originally included in several improvement districts. The purpose of the Agreement is to respread special assessments to more fairly distribute the cost of the improvement.

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There is no cost to the City.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## AUBURN HILLS

### **RESPREAD ASSESSMENTS – AUBURN HILLS TWELFTH ADDITION – ALONG 135TH STREET WEST, SOUTH OF MAPLE.** (District V)

Agenda Report No. 01-1145.

The developers, West Wichita Development, Inc., and Casado-McKay Construction, L.L.C., platted Auburn Hills 12th Addition and have submitted three Agreements to respread special assessments within the Addition.

The land was originally included in improvement districts for a water distribution system and a sanitary sewer project. The purpose of the Agreements is to respread special assessments on an equal share basis for each lot. Without the Agreements, the assessments will be spread on a square foot basis. The Agreements will equalize the assessments for each lot, making it easier for the developer to market the lots.

There is no cost to the City.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## USGS AGMT.

### **USGS SURFACE WATER AGREEMENT.**

Agenda Report No. 01-1146.

In 1957, as a condition of Federal assistance in construction of the Wichita-Valley Center Flood Control Project, the City of Wichita entered into a cooperative Agreement with the United States Geological Survey (U.S.G.S.) to install and maintain stream recorders along the project. Rainfall recorders were added later for the City's own use.

In 1965, the Water Department added stream-gauging stations at Cheney Reservoir.

The Department of Public Works uses recorders to monitor rainfall through the drainage basins affecting the project to determine volumes of incoming water. This collected data is transmitted to the weather bureau, which transmits the data to the River Forecast Center in Tulsa, Oklahoma. The data is statistically analyzed and published by U.S.G.S.

The Water Department monitors the flow of water into and out of Cheney Reservoir and relays the elevation of the lake to the Corps of Engineers.

The Agreement requires the City to pay \$29,070 of the \$48,500 total program cost, with U.S.G.S. responsible for the balance of \$19,430. Budget for the City's cost is split between the Water and Sewer Department (\$14,055) and City-County Flood Control (\$15,015). In addition, the City provides office space for the United States Geological Survey, WRD, Kansas District for which it charges annual rent of \$14,000. This amount is paid by Flood Control to the City's Property Management Operations Fund to offset a portion of the \$15,015 program costs. The balance of \$1,015 is paid directly to U.S.G.S.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.



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## ACCESS MGMT.

### ACCESS MANAGEMENT PLAN.

Agenda Report No. 01-1147.

The Access Management Task Force was organized to develop a policy framework and a consistent access management process to address the land use and transportation issues of development and redevelopment for the Wichita-Sedgwick County Area.

TranSystems Corporation is under contract to assist in the development of this policy document.

Due to the level of heightened interest shown towards the proposed Access Management Policy, additional meetings have been required for input from stakeholders, and subsequent multiple revisions to the draft document have been prepared. While significant work has been completed, further changes to the proposed policy document, and additional reviews and discussions are planned with the Task Force, District Advisory Boards, Metropolitan Area Planning Commission, and the governing bodies of the City of Wichita and Sedgwick County.

This contract amendment provides an additional \$16,000 to the original \$64,714 contracted amount. Federal Planning funds available to the Metropolitan Area Planning Department, due to salary savings, will be used. No local funds are necessary.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## GILBERT/MOSLEY

### SUPPLEMENTAL – GILBERT AND MOSLEY PROJECT.

Agenda Report No. 01-1148.

The City entered into a professional services agreement and subsequent supplemental agreements with Stinson, Mag & Fizzell to provide legal advice on environmental matters relating to the investigation and clean-up of groundwater contamination in the Gilbert & Mosley Site. That firm, and particularly David R. Tripp, assisted staff and Council on a number of elements on the project and continues to provide advice and legal representation as needed as the project is being implemented. Extensive effort has also been placed in the identification of responsible parties for cost recovery purposes. Litigation against a large number of responsible parties has resulted in significant legal services for depositions, document production, motions, and other litigation services.

This supplemental agreement provides additional authority to continue to use the services of Stinson, Mag & Fizzell on an as-needed basis for particular legal and environmental issues. This agreement also continues to provide for the litigation team headed by Robert L. Driscoll which is handling the litigation to recover costs from responsible parties. This agreement also provides for payment of the expert witnesses in the litigation, which are retained by the law firm.

This supplemental agreement provides authority for an additional \$750,000 in legal services and related expenses. These services will be paid out of the Gilbert & Mosley TIF.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## ELECTRICAL RATES

### SUPPLEMENTAL – ELECTRICAL RATES.

Agenda Report No. 01-1149.

The City has undertaken a number of strategies to pursue the goal of reduction of electrical rates. The City is actively participating in cases before the Kansas Corporation Commission and the Federal Energy Regulatory Commission. The City has used the services of the law firms of Duncan & Allen

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and Triplett, Woolf & Garretson, LLC (Timothy McKee) to provide legal advice and assistance in electrical strategies and electrical rate proceedings under prior contracts for legal services.

This Supplemental Agreement provides the continued authority for the services of the firm of Triplett, Woolf & Garretson for electrical power advice and representation in electrical proceedings, including the Western Resources rate case. The agreement also covers the cost of related expenses necessary for these proceedings.

The Supplemental Agreement is for a not-to-exceed sum of \$75,000. Payment for these services will come from 2001 General Fund Appropriated Reserves.

The agreement has been drafted and approved as to form by the Law Department.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## **K-96 BIKE PATH**

### **K-96 BIKE PATH, OLIVER TO GROVE PARK.** (District I)

Agenda Report No. 01- 1150.

On January 4, 2000, the City approved an Agreement with Savoy, Ruggles & Bohm, P.A. (SRB) for the design of a bike path along the K-96 Expressway from Oliver to Grove Park. The project is financed by a combination of City General Obligation Bonds and Federal Funds administered by the Kansas Department of Transportation (KDOT). On February 8, 2000, the City Council entered into Agreement with KDOT for construction funding.

The Design Agreement with SRB requires SRB to provide construction engineering services if requested by the City. Due to the current workload created by previous projects, City crews are not available to perform the construction engineering services for this project. An Agreement between the City and SRB for construction engineering services has been prepared. The project consists of constructing a bike path adjacent to the K-96 bypass from Oliver to Grove Park.

KDOT will reimburse the City of 80% percent of the cost for construction engineering services, which has an upper limit of \$28,936.72.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## **KDOT**

### **KDOT - 2002 ARTERIALS PROGRAM.**

Agenda Report No. 01-1151.

The 2002 Arterial Capital Improvement Program includes funds to improve Central from Maize to Tyler (MS-200006). The Kansas Department of Transportation (KDOT) has agreed to participate in the project funding. The City will take bids for the project. A City/State Agreement has been prepared.

Improvements are needed to provide a continuous two-way center left turn lane to increase through traffic carrying capacity and provide a separate lane for safer left turn movements. Construction is expected to begin next fall.

The estimated project cost is \$2,300,000 of which \$700,000 paid by Federal Funds and \$1,600,000 paid by the City. KDOT will pay 80 percent of the cost of construction and construction engineering. The funding source for the City share is General Obligation Bonds.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

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KDOT

## **CONSTRUCTION ENGINEERING AGREEMENT FOR LINCOLN BRIDGE OVER FABRIQUE DITCH.** (Districts II and III)

Agenda Report No. 01-1152

The Capital Improvement Program includes a project to rehabilitate the Lincoln Bridge over Fabrique Ditch (B-242003). The project is financed by a combination of City General Obligation Bonds and Federal Grants administered by the Kansas Department of Transportation (KDOT). On May 1, 2001, the City Council approved the project for construction. An Agreement between the City and KDOT for construction engineering services has been prepared.

The current sufficiency rating of this bridge indicates that major repairs will be required to help preserve the structural integrity of the existing bridge. Construction is expected to begin next spring.

KDOT will reimburse the City for 80 percent of the cost for construction engineering services, which has an upper limit of \$13,979.14.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

SALVATION ARMY

## **CONTRACT WITH SALVATION ARMY – EMERGENCY SHELTER.**

Agenda Report No. 01-1153.

On May 8, 2001, the City Council approved the Emergency Shelter Grant allocations to be included in the City's annual Consolidated Plan One-Year Action Plan. The Plan provides funds for a number of homeless agencies for operations, essential services, and homeless prevention.

The proposed contract is for implementation of Consolidated Plan activities by the Salvation Army. Under this contract the City will provide Emergency Shelter Grant funding for operations and essential services. The contract period for the contract is July 2001 through June 2002.

Activities covered for this contract are related to the Salvation Army emergency homeless shelter. The maximum amount of funding for operations under this contract is \$12,043, and the amount for essential services is \$12,122. The agency has committed an equal amount of funding from other sources. Activities included in this contract are consistent with the City's Consolidated Plan as approved by City Council.

Funds for this contract are provided under the Stewart B. McKinney Homeless Assistance Act through the U.S. Department of Housing and Urban Development. The Salvation Army will provide the required match.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

SANITARY SEWER

## **NORTHWEST SEWAGE TREATMENT PLANT.**

Agenda Report No. 01-1154.

The City has a Contract with PEC to perform on-site construction management and inspection for the new Northwest Sewage Treatment Plant. The Contract requires the City furnish administrative support to the construction manager (typically a cost savings).

Individuals supplied through temporary service agencies have a high turnover rate. Allied Laboratories (a department of PEC) has approached Staff about supplying administrative support from within their organization. In addition, the selected individual would provide administrative support for the Main

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Pump Station project, Phase 2 of the Northwest Treatment Plant (wetlands development), and the Dual Force Main project.

The proposed Contract offers an opportunity to retain experienced administrative support for the projects, and the advantage of lower turnover rate and total cost to the City. Allied Laboratories would have the responsibility of project administrative assistance.

Total cost for the administrative services would be \$27,145. Funding is available in CIP S-512, Northwest Sewage Treatment Plant and Basins, 1,2, and 3.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## **HARDSHIP RELEASE RELEASE OF HARDSHIP DEFERRAL LIENS.**

Agenda Report No. 01-1155

During the past year, Jill A. Karst applied for Special Assessment Hardship Deferral to defer payments of special assessments. Ms. Karst signed a Lien Agreement with the City of Wichita that was recorded by Sedgwick County Register of Deeds.

Hardship Deferral Program guidelines state that if the status of the property ownership changes, the assessment will be put back on the tax roll or paid-in-full. Ms. Karst has refinanced her home. The finance company paid the assessment in full.

There is no cost to the City of Wichita.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## **SANITARY SEWER SUPPLEMENTAL AGREEMENT NO. 2 – SANITARY SEWER MASTER PLAN.**

Agenda Report No. 01-1156.

The City Council approved the 2000 Sanitary Sewer Master Plan Update on May 4, 1999. PEC was selected to provide the engineering services for the project. Supplemental Agreement No. 1 to the Plan was approved on September 12, 2000, for the development of a dynamic hydraulic model.

Supplemental Agreement No. 2 is for engineering services to revise the 2000 Sanitary Sewer Master Plan Update to incorporate system impact and system needs necessitated by the continued use of Cowskin Creek Pump Station. The Agreement lists the tasks to be performed and the anticipated work required to complete the update revisions. Maintaining operation of the Cowskin Creek Pump Station is critical to the sanitary sewer operation for the western portion of the City.

The Agreement is for \$69,975 and will be paid as part of the 2000 Sanitary Sewer Master Plan Update (CIP S-508). The existing budget must be increased to include the costs for this Supplemental Agreement and also for Supplemental Agreement #1 for management of projects associated with acquisition of the county sewer facilities that was approved on March 20, 2001. It is requested that the current budget of \$500,000 be increased by \$150,000 for a total of \$650,000. The project will be funded by revenues or a future bond sale.

Motion --  
-- carried

Knight moved that the budget and Agreement be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

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## CREDIT CARD

### CREDIT CARD MERCHANT SERVICES AGREEMENT.

Agenda Report No. 01-1157.

The City of Wichita currently has fifteen offices that accept MasterCard and Visa through a merchant service agreement with Commerce Bank. This service is limited to "in-person" transactions or customers paying while at the specific location. With the acceptance and enhancement of the Internet, customers are requesting the ability to pay for services through the Internet utilizing a credit card type transaction. In addition to offering credit card payment services via the Internet, the City would also like to offer customers expanded options when paying at City Hall or one of its facilities.

A request for proposal for credit card services was distributed to area financial institutions in May 2001. The City received five responses. (Commerce, Intrust, UMB, Bank of America & Cardx) The responses were reviewed for their ability to meet the City's current and future requirements in the area of Internet payment processing as well as standard credit card services. Three finalist firms were interviewed (Commerce, UMB & Bank of America).

The City requires a partner that has extensive experience in the implementation and design of the City's Internet "shopping cart and payment station". In order to operate at optimal efficiency, the City will need customized data interfaces into the various city computer systems in order to eliminate duplicate data entry. There will be substantial business changes required as a result of electronic payment processing.

Financial institutions charge for credit card processing in various ways. All financial institutions charge a merchant fee that is a percentage of total sales. Additional transactions fees are charged for voice approvals, swiping or keying the entry, charge backs, data capture, statements etc. Bank of America, based on the Treasurer's pro forma analysis of estimated transactions, would result in the lowest annual costs. Bank of America's merchant fee will be 1.86% as compared to the current fee of 2.01%.

During 2000, the City processed \$1.6 million in credit card transactions. The total cost for these transactions was \$41,300. Credit card costs will substantially increase as usage increases, particularly if Internet payment processing increases in popularity. It is anticipated that the credit card program will increase 50% each year for the next three years eventually processing \$10 million in annual revenue. This equates to approximately \$250,000 in annual fees within the next three years. Fees will be partially offset by an increase in efficiency and lower costs per transaction. Money may be deposited a day earlier by using a credit card than by depositing a check and certainly there is an expectation that there would be a decline in insufficient funds checks and the costs associated in collecting them.

Currently, general fund credit card expenses are absorbed as a banking fee from the PIM (Pooled Money Investment) fee. Credit card expense for non-general funds are charged against current year operating revenue. It is anticipated the PIM charge will need to be increased up to ten (10) basis points (50 to 60) to recover annual fees across all funds.

The agreement will be approved as to form by the Law Department prior to execution.

Motion --

-- carried

Knight moved that Bank of America be approved to provide credit card merchant services; and a ten basis point increase in the PIM charge to pay the additional expenses connected with program expansion and the necessary signatures be authorized. Motion carried 7 to 0.

## HOME/CHDO

### HOME CHDO PROJECT AMENDMENT. (Districts I, III, IV, and VI)

Agenda Report No.01-1188.

March 20, 2001, the City Council allocated \$200,000 of 2001-2002 HOME funding to the Housing Services Department's Boarded-up HOME program, which provides a mechanism for Community Housing Development Organizations (CHDO's) to access funding in order to address boarded-up or otherwise dilapidated structures within the City's Local Investment Areas.

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Four (4) of the City's CHDO's, Mennonite Housing, Power CDC, Wichita Indochinese Center and Community Housing Services have agreed to participate in the program, and will be parties to the funding agreement. Under the agreement, these organizations may receive funding in order to rehabilitate existing homes or construct new homes on properties where there is a boarded-up or otherwise blighted/dilapidated structure. Funding may also be provided for acquisition and demolition expenses. The funding agreement has been structured as an amendment to last year's funding agreement for this program.

Funding under this agreement will be provided in the form of zero-interest forgivable loans.

Motion --  
-- carried

Knight moved that the Amendment to the Grant Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Addendum Item #15p)  
**RAW WATER LINE**

## **SUPPLEMENTAL AGREEMENT NO. 1 TO THE ENGINEERING SERVICES CONTRACT FOR THE INSTALLATION OF A 66-INCH RAW WATER LINE FROM 21ST STREET AND ZOO TO THE WATER TREATMENT PLANT**

Agenda Report No. 01-1190.

The City of Wichita provides treated drinking water to 331,000 people. The service population is projected to increase to over 438,000 by 2010. To ensure that future water needs of the service area are met, the Water and Sewer Department initiated a study of its water system. A study of the raw water delivery system was done for the Water and Sewer Utility. In July 1999, a report was submitted regarding raw water delivery, which made specific recommendations for system reliability and system upgrade. On January 25, 2000, the City Council approved the project to construct a 66" Raw Water Line from 21st Street and Zoo to the Water Treatment Plant and awarded a contract for engineering services for the project.

The contract for the design of the 66-inch raw water line was awarded to Professional Engineering Consultants (PEC) and is in the process of being designed. Currently under contract for construction is a project to slipline the existing 48-inch raw water line from the treatment plant to approximately the City limits. The current alignment of the 48-inch raw water line is through Sim Park Golf Course. The proposed alignment will disrupt play at the golf course and result in extensive site restoration and expense. It has been determined that the slip lining project should be realigned through the golf course to reduce restoration costs and minimize disruption of play. The alignment of the 48-inch raw water line will parallel the proposed 66-inch raw water line. For constructability, the lines must be installed at the same time to avoid additional costs if constructed separately. By constructing the lines at the same time, disruption to the neighborhood for multiple projects is avoided, and paving replacement costs will be minimized. The supplemental agreement is for the design of the 48-inch line running parallel to the alignment of the proposed 66-inch raw water line adjacent to the golf course property.

The Capital Improvement Program (CIP # W-807) budget is \$3.0 million for 2000, \$4.0 million for 2001 and \$5.6 million for 2002, for a total project cost of \$12.6 million. The amount of the supplemental agreement to the original contract is \$12,500. This project will be funded from Water Utility revenues and reserves or a future revenue bond issue.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

**DESIGN SERVICES**

## **RALPH WULZ INDOOR TENNIS CENTER.** (District VI)

Agenda Report No. 01-1158

The Ralph Wulz Tennis Center, located in Central Riverside Park, is one of the City's largest. It has been home to regional tennis tournaments and has a reputation for being one of the better facilities in the region.

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In 1999, the Wulz Tennis Center was renovated. Renovations included new post tension courts, cosmetic improvements to perimeter fencing, and interior improvements to the clubhouse, restrooms and locker rooms. This project will further improve the center by adding six courts within a building or buildings to allow for all weather play.

In June 2001, the City requested proposals from qualified firms to provide architectural services for the design of the indoor tennis complex.

Five firms responded as follows: Hanney & Associates, Howard & Helmer, Law/Kingdon, Inc., Schaefer Johnson Cox Frey & Associates, and Wilson Darnell Mann. The Staff Screening and Selection Committee interviewed Howard & Helmer, Schaefer Johnson Cox Frey & Associates, and Wilson Darnell Mann. The firm of Wilson Darnell Mann was selected for this project based on their competitive fee for services and their involvement with the Riverside Park system improvements and modifications.

Architectural fees for the Programming, Pre Design, and Schematic Design Phases of this project are \$75,000.00 including reimbursable expenses.

The project is authorized in the Capital Improvement Program. (PROJECT No. 435252, OCA No. 792242).

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## DESIGN SERVICES

### **DESIGN SERVICES AGREEMENT FOR ROCKY CREEK AND ROCKY CREEK SECOND ADDITION – NORTH OF 13TH, EAST OF 127TH STREET EAST.** (District II)

Agenda Report No. 01-1159.

The City Council approved the project on September 18, 2001.

The proposed Agreement between the City and MKEC Engineering Consultants, Inc. (MKEC) provides for the design of bond financed improvements in Rocky Creek and Rocky Creek 2nd Additions. Per Administrative Regulation 7a, staff recommends the selection of MKEC because MKEC provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$25,560, and will be paid by special assessments.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## DESIGN SERVICES

### **DESIGN SERVICES AGREEMENT FOR NORTH PARK ADDITION – SANTA FE, BETWEEN 14TH AND 15TH STREETS.** (District V)

Agenda Report No. 01-1160.

The City Council approved the project on September 18, 2001.

The proposed Agreement between the City and Savoy, Ruggles & Bohm, P.A. (SRB) provides for the design of bond financed improvements in North Park Addition. Per Administrative Regulation 7a, staff recommends the selection of SRB because SRB provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

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Payment will be on a lump sum basis of \$10,300, and will be paid by special assessments.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## AREA NETWORK

### CHANGE ORDER – LOCAL AREA NETWORK.

Agenda Report No. 01-1161.

The initial Local Area Network (LAN) was installed in City Hall in 1989 to support 94 terminals and 17 printers. In 1996, the network was replaced to handle the increased load of 636 terminals, 256 PCs and 24 laser printers and is the current system used by the City. Currently there are 820 PCs and 120 laser printers on the LAN. The network is in the process of being upgraded, with a scheduled completion date of mid-November.

The change order would allow the City to purchase additional equipment needed for the upgrade. Specifically, an additional switch is needed for the 13th floor, and a base module, cabinet, and Uninterruptible Power Supply (UPS) backup are needed to support the additional switch. Currently, floors 12 and 13 run on the same switch. Cabling limitations on the 12th floor would leave the 13th floor without any additional capacity. The UPS backup units for the equipment are recommended by the vendor to enhance the stability of the network and longevity of the devices. Although IT is continually searching for ways to provide technology more efficiently, the density of technology usage on floors 12 and 13 require additional support.

The initial project budget (approved by Council action on June 12, 2001) for the LAN upgrade was \$600,000. The equipment bid was \$320,000. An additional switch and related equipment are estimated to cost less than \$60,000, bringing the total upgrade cost to \$380,000. Funds are available in the IT equipment replacement fund.

Change orders exceeding \$10,000 require City Council approval.

Motion --  
-- carried

Knight moved that the change order be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## SECTION 8 HOUSING APPLICATION FOR SECTION 8 HOUSING SEARCH ASSISTANCE PROGRAM.

Agenda Report No. 01-1162.

On July 11, 2001 the Department of Housing and Urban Development (HUD) issued a notice of Funding Availability for approximately \$10 million in budget authority for a Section 8 Housing Search Assistance Program. The purpose of the program is to assist housing choice voucher families in expanding their housing opportunities and in accessing lower-poverty (non low-income) neighborhoods through their receipt of housing counseling and supportive services from housing authorities partnering with nonprofit organizations. The counseling services will provide eligible families with information about a wide range of housing options, including options in lower-poverty neighborhoods, so that the families may make informed decisions in selecting housing and move closer to job sites, public transportation, shopping, schools, training opportunities and family/friends support networks. The program will also provide supportive services to help recipients comply with private owner rental lease requirements, housing quality standards and other family obligations under the voucher program, remain stably housed, and successfully adjust to their new communities.

The Housing Services Department has prepared an application to serve approximately 250 vouchers holders per year for the next three years with housing search assistance and ongoing counseling and supportive services.



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HUD's evaluation of housing authorities' Section 8 program (SEMAP) includes efforts to deconcentrate housing assistance and to encourage voucher holders to rent in non low-income areas. This grant would provide funding to significantly increase efforts to meet this goal while providing assistance to Section 8 tenants with home maintenance skills related to their responsibility for housing quality standards and with financial management skills directed at the most efficient use of limited resources in meeting family expenses especially as it relates to the family's responsibility to pay its portion of the rent in a timely manner.

The regulations require that at least one nonprofit agency be a partner in this grant and that the partner must be identified in the application. In anticipation of this application, the Housing Services Department issued an RFP for housing search assistance and counseling/supportive services. A review panel consisting of city staff and non-city personnel evaluated the proposals and selected the Urban League of Wichita to participate in the grant, based on the agency's long experience as a HUD approved housing counseling agency, the services proposed, and the agency's other services which will complement and leverage the funding to be provided under this program.

The Housing Advisory Board voted to recommend submission of the grant at its September 18 meeting.

This grant does not require matching funds, and no general funding is obligated.

Motion --  
-- carried

Knight moved that submittal of the grant application and receipt of funds be authorized. Motion carried 7 to 0.

## EMER. SHELTER

### KANSAS EMERGENCY SHELTER GRANT PROGRAM.

Agenda Report No. 01-1163.

The State of Kansas receives Emergency Shelter Grant funds under the Stewart B McKinney Homeless Assistance Act that are awarded to local units of government on behalf of homeless service providers. At its June 19, 2001, meeting the City Council approved submittal of a 2001 Kansas Emergency Shelter Grant Program (KESGP) application for \$212,033 to fund sixteen local homeless service provider projects.

The Housing Services Department has received notification that the City was awarded \$62,605 in 2001 KESGP funds. Of that amount, \$61,000 is available in four program categories for allocation to agencies. On September 28th the Community Council on Homeless Advocacy (CCHA - formerly the Homeless Task Force) met to provide recommendations to the City Council for allocating available KESGP funds.

The total agency requests and the amount of the KESGP grant awarded are:

| <u>Program Category</u> | <u>Total Requested</u> | <u>Amount Awarded</u> |
|-------------------------|------------------------|-----------------------|
| Rehabilitation          | \$60,000               | \$10,000              |
| Operations              | 82,552                 | 24,000                |
| Essential Services      | 42,180                 | 18,000                |
| Homeless Prevention     | 22,000                 | 9,000                 |

CCHA recommendations for allocation of the awarded funds follow:

| <u>Agency</u>                 | <u>Rehab</u> | <u>Operations</u> | <u>Essential Services</u> | <u>Homeless Prevention</u> | <u>Totals</u> |
|-------------------------------|--------------|-------------------|---------------------------|----------------------------|---------------|
| <u>Inter-Faith Ministries</u> |              |                   |                           |                            |               |
| Inter-Faith Inn               |              | \$ 3,590          | \$13,250                  |                            | \$16,840      |
| Safe Haven                    |              | 6,000             | 3,600                     |                            | 9,600         |
| <u>Catholic Charities</u>     |              |                   |                           |                            |               |
| Anthony Family Shelter        |              | \$3,000           |                           |                            | 3,000         |

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|                            |                 |                |              |              |
|----------------------------|-----------------|----------------|--------------|--------------|
| Harbor House               | 2,100           |                |              | 2,100        |
| Salvation Army             | \$7,700         |                |              | 7,700        |
| YWCA Women's Crisis Center | \$1,050         | <u>\$1,150</u> |              | 2,200        |
| Center of Hope             |                 |                | \$7,000      | 7,000        |
| UMUM Drop-In Center        | <u>\$10,000</u> |                |              | 10,000       |
| Stepstone                  |                 | <u>560</u>     | <u>2,000</u> | <u>2,560</u> |
| Totals                     | \$10,000        | \$24,000       | \$18,000     | \$9,000      |
|                            |                 |                |              | \$61,000     |

Inter-Faith Inn – Operational funding of \$3,590 and Essential Services funding of \$13,250 would enable Inter-Faith Inn to continue its case management services.

Safe Haven – Operations funding of \$6,000 and Essential Services (Case Management) of \$7,500 for a 20 bed shelter.

Catholic Charities Anthony Family Shelter – Operations funding in the amount of \$3,000 would be provided for the 32-bed shelter.

Catholic Charities Harbor House – Operations funding in the amount of \$2,100 would be provided for the domestic violence shelter.

Salvation Army Emergency Lodge – Operations funding in the amount of \$7,700 would be provided for the 16 bed emergency shelter.

YWCA Women's Crises Center – Operations funding in the amount of \$1,050 and essential services funds of \$2,100 would be provided for the shelter.

Center of Hope – \$7,000 will be provided for rent assistance for families who have received an eviction notice due to recent drop in income.

United Methodist Urban Ministry – Rehabilitation funds in the amount of \$10,000 will assist the Drop-In Center to relocate. This has been necessitated due to environmental problems (mold) at the current location.

Stepstone – Operations funding in the amount of \$560 and utility assistance for domestic violence survivors in a transitional housing program.

City of Wichita – Administration funding in the amount of \$1,605 would be provided at the allowed 2.5% rate for City administrative costs.

Each provider will be required to provide a dollar for dollar match for allocated funds. Acceptance of the KESGP funds will obligate no general funds moneys.

All KESGP funds allocated to homeless service providers will be distributed under individual provider contracts approved as to form by the City Law Department

Motion --  
-- carried

Knight moved that agency allocations for awarded 2001 KESGP funds be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## BUDGET

### TRANSFER OF NUISANCE ABATEMENT FUNDS.

Agenda Report No. 01-1164.

The Environmental Maintenance Contingency was created to fund lot cleanup and weed mowing activities to abate environmental nuisances. Local ordinance and state law allow the City to clean up private property after proper notification of the responsible party. This process is typically used when property has been abandoned, or in cases involving absentee owners who cannot be located for trial in municipal court. A private contractor performs the work, and the City bills the cost to the property owner directly or as a special property tax assessment.

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In the 2001 budget, the Council allocated an initial \$24,400 to fund lot cleanup activities, with an additional \$90,000 available for transfer for lot cleanup or weed mowing during the year. Previous transfers for lot cleanup and weed mowing have left \$ 38,060 in the in the contingency fund. (The current balance in the weed mowing account is sufficient for activities through the end of the year.) Invoices received this year for lot cleanup total \$ 65,782 for cleanup of 129 properties. Nine additional cases have been referred to the contractors, and will nearly deplete the current fund balance of \$ 7,400. Two additional properties have been assigned to contractors for estimates, and twenty-four others are in process. Staff anticipates approximately forty additional cases by the end of the year. At an average cost between \$ 500 and \$ 600 per property, the contingency funds requested for transfer will be depleted by the end of the year.

Funds in the contingency currently total \$ 38,050. The Finance Department has approved the transfer.

Council approval is required for budget adjustments in excess of \$10,000.

Motion --

Knight moved that the budget adjustment transferring \$ 38,050 from Environmental Maintenance Contingency (OCA 149070) to Environmental Maintenance Lot Cleanup (OCA 149062) be approved.

-- carried

Motion carried 7 to 0.

## BUDGET

### **BUDGET ADJUSTMENT - STREET SWEEPINGS SCREENER.**

Agenda Report No. 01-1165.

Brooks Landfill will close on October 9, 2001. The City has obtained a permit to operate a Construction and Demolition (C&D) landfill at the Brooks site beginning October 10th.

The Street Cleaning Section of the Public Works Maintenance Division hauls an average of 70,000 tons of street sweepings to Brooks Landfill annually, of which about 2% is solid waste. Under the current operating agreement, sweepings are dumped free of charge. The proposed cost of disposal at the new transfer station is \$38 per ton. Hauling all of the City's sweepings to the transfer station would result in an annual cost of approximately \$2,660,000.

The C&D permit for Brooks allows disposal of street sweepings if the solid waste has been removed. A screening machine has been tested and would remove the solid waste, allowing the City to meet the KDHE requirement. Screening of the material would enable the City to dispose of 98% of the sweepings at the C&D site.

On September 18, 2001, the City Council approved the transfer of \$150,000 for the purchase of a screening machine with dust suppression equipment. However, after bids were taken, the actual cost will be \$183,000. The estimated cost avoidance by using the screening machine is \$2,607,000 annually.

A screening machine has been fully tested and determined to meet the KDHE permit requirements. Bids have been solicited for the screening machine and the cost will be \$183,000.

The 2001 Revised Landfill budget includes \$880,000 in contingent funds to operate a C&D landfill and purchase necessary capital equipment. \$150,000 has already been approved for transfer to purchase the screening machine. However, after bids were taken, approval is need to transfer an additional \$35,000 from contingency to capital outlay to purchase the screening machine.

Budget transfers over \$10,000 must be approved by the City Council.

Motion -- carried

Knight moved that the additional budget transfer be approved. Motion carried 7 to 0.

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## NETWORK

### WIDE AREA NETWORK.

Agenda Report No. 01-1166.

The Wide Area Network (WAN) connects desktop personal computers (PCs) and printers in outlying locations to the servers located in City Hall which operate the City's computer systems. E-mail, Park recreation program registrations, Fire incident reporting and equipment maintenance, and financial document processing are just some of the services made available through the WAN. Currently the Wide Area Network services only a portion of the City's outlying locations due the high cost of extending this capability.

Several grades of wired and wireless service are available to connect outlying locations. Wired connections range in speed and capacity from T3 lines (extremely fast and high capacity) down to regular telephone lines (slow and very low capacity). Wireless technology is also available, but is generally more expensive and less secure than more traditional technologies.

Staff analyzed several alternatives, ranging in price from \$237,000 to over \$2.0 million. The staff recommendation is to use thin-client technology over ISDN data lines, the least-expensive option studied. Thin clients essentially act as terminals, being served by a centrally located "server farm." All applications are resident on the servers, requiring minimal information to be passed back and forth across the data lines. Some of the benefits of thin client technology include:

- § Improved application performance due to a reduced need for bandwidth;
- § Thin clients can use \$600 Internet appliances rather than \$1,700 personal computers;
- § ISDN lines cost \$80 per month rather than \$400 per month for T-1 lines;
- § Security and virus scanning are centrally located, and all upgrades will only need to be made once, at the server farm.

Initial implementation is proposed to be at the Fire stations and Park recreation centers. In addition to the Fire and Park locations, approximately 200 additional users will be converted to thin-client technology. The conversion would be accomplished in four phases as current T-1 contracts expire. Each phase will require the addition of a server and load balancer, and 50 additional client access licenses. The estimated additional cost for completing the WAN is \$100,000, with ongoing annual costs of \$4,000. Staff estimates the first phase of additions will begin in Fall 2002.

The implementation cost to establish the server farm and extend thin-client technology to Fire stations and Park recreation centers is \$237,000. Ongoing costs of \$45,000 per year can be absorbed in the Information Technology budget due to the reduction of T-1 lines. Funds are available for the Wide Area Network in the Information Technology equipment replacement fund.

Motion --  
-- carried

Knight moved that the Wide Area Network project be approved and the expenditure of funds be authorized. Motion carried 7 to 0.

## TROLLEYS

### PURCHASE OF TWO (2) REPLACEMENT TROLLEYS.

Agenda Report No. 01-1167.

Wichita Transit (WT) has been approved to replace two (2) 1984 Chance Trolleys in accordance with the City's Capital Improvement Program, under Project T-612001. This project is consistent with the City's overall plan of upgrading the trolley fleet. The trolleys being replaced are 1984 vintage and were purchased used. These trolleys lack wheelchair lift capability, and have retrofitted heaters and air conditioners which do not heat or cool sufficiently.

In an effort to receive as low of a bid as possible for WT's purchase of two (2) new trolleys, with future options, a consortium was formed of similar transit systems with similar needs--the purchase of heavy-duty trolleys. The RFP process established was similar to the one used by WT for the purchase of our buses completed last year. Chance Coach was selected to supply trolleys for the consortium through the

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RFP process. WT is able to purchase two (2) trolleys now, with options to purchase up to 4 more within the next four (4) years if needed.

A bond Ordinance is required to commit local funds to the purchase contract. The total project cost is \$519,672.

Section 2.64.020 of the City Code provides for purchase of supplies, services and equipment from contracts and agreements of other governmental entities which have been awarded, subject to public bidding and approved by the proper governmental entity. The Law Department has approved the ordinance as to form.

Motion --  
-- carried

Knight moved that the purchase be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

## ORDINANCE

An Ordinance determining the necessity for acquiring two new heavy duty trolley buses for the City of Wichita's Metropolitan Transit Authority and providing that the cost of said acquisition shall be paid by the City of Wichita, Kansas, at large through the issuance of General Obligation Bonds of the City of Wichita, Kansas, under the authority of Charter Ordinance No. 143 of the City of Wichita, Kansas, introduced and under the rules laid over.

## WATER SUPPLY

### WATER SUPPLY DEVELOPMENT PROJECT – PHASE III.

Agenda Report No. 01-1168.

On August 31, 1993, City Council approved implementation of the Integrated Local Water Supply Plan as recommended in the Water Supply Plan. Cost-effective water resources were identified in the plan that would meet Wichita's water needs to the year 2050. On February 7, 1995, City Council approved Phase I Project I of the Equus Beds Recharge Demonstration Project, and on November 14, 1995, approved Phase II. Based on the success of the demonstration project, on October 3, 2000, the City Council authorized implementation of Phase III.

Projects in Phase III of the Water Supply Plan will include:

1. First phase - Equus Beds aquifer recharge project - \$17,100,000
2. Installation - index wells (under contract) - \$600,000
3. Redevelopment - Bentley Reserve Wellfield - \$1,250,000
4. Expansion - local wellfield - \$5,400,000
5. Purchase right-of-way - future raw water supply line - \$1,200,000

Two additional tasks to be initiated include studies on the use of other water treatment technologies (such as reverse osmosis), and the impact of new regulations on the aquifer storage project.

CIP W-549, Water Supply Plan Phase III, includes \$6.55 million for 2001. This is in addition to the \$5.237 million allocated, for a total allocation to-date of \$11.787 million. Each stage of the project will be brought to the City Council for authorization.

Motion --  
-- carried

Knight moved that 2001 budget expenditure be approved and the Resolution be adopted. Motion carried 7 to 0.

## RESOLUTION NO .01-426

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, improve, extend and enlarge the water and sewer utility owned and operated by the City, and to issue Revenue Bonds in a total principal amount which not exceed \$6 Million, Five Hundred Fifty-Five Thousand in 2001, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Knight

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moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## PROPERTY DISP.

### DONATION OF CITY-OWNED LOTS. (District I)

Agenda Report No. 01-1169.

September 12, 2000, the City Council approved a land donation program as part of the newly created Redevelopment Incentives Plan. The purpose of the land donation program is to encourage reinvestment in inner-city neighborhoods through the redevelopment of vacant lots donated by the City. Based on the City Council approved criteria for donation of the lots, the applicant must:

- Demonstrate the ability to initiate construction within 6 months and pay an administrative fee of \$100.00.
- Be willing to immediately secure and maintain the property pending development.
- Submit proposed use/design of the proposed development and receive the necessary approvals.
- Commit the property for homeownership use.
- Agree to fulfill the obligations under the program or have the property revert to the City without encumbrances.

Power CDC, Inc., a City approved non-profit Community Housing Development Organization (CHDO) has applied for donation of City-owned lots at 1202 N. Ash, 1206 N. Ash, 1211 N. Ash, and 1212 N. Ash. Power CDC is nearing completion of its Piatt Area Redevelopment Project, which has resulted in the development of 10 single-family homes on the former site of the Piatt Manor apartment complex, and has received additional CHDO funding for further residential development within the City's Northeast Local Investment Area. In addition, Power CDC has acquired ownership of two lots adjacent to the City lots. The combined total of 6 lots should allow for the construction of at least 4 and possibly 6 single-family homes. The houses will be available to first-time homebuyers when construction is completed.

Power CDC has secured construction financing through Commercial Federal Bank, and was approved for HOME CHDO funding as part of the 2001-2002 Consolidated Plan funding process. Construction of the homes will be financed with a combination of bank loan funding and HOME funds. End buyers will receive down payment and closing costs assistance through the City's HOMEownership 80 program.

Contracts will be approved as to form by the city Law Department.

Motion --  
-- carried

Knight moved that the donation of the four Ash Street lots to Power CDC, Inc., be approved and the necessary signatures be authorized. Motion carried 7 to 0.

## MEADOWS PARK

### IMPROVEMENTS TO MEADOWS PARK. (District V)

Agenda Report No. 01-1186.

The Meadows Park is located south and west of 119th and Maple. This area is a natural wetlands, but also includes some limited amenities for park visitors that need extension and updating.

The proposed project would provide: pathway construction (\$18,240) to link existing pedestrian paths on the east and west sides of the park; irrigation improvements (\$1,500); landscape improvements (\$8,660); and bollards for vehicular control (\$1,600 materials only) to protect the area from unwarranted vehicular intrusion off of 119th Street.

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The \$30,000 cost of the project will be funded within the Park capital improvement program through General Obligation bonds.

Motion -- carried

Knight moved that the project be approved and the Resolution be adopted. Motion carried 7 to 0.

## RESOLUTION NO. 01-427.

A Resolution finding it necessary to make certain improvements to Meadows Park and authorizing the issuance of Bonds by the City of Wichita at large, introduced and under the rules laid over.

### PROPERTY DISP.

#### **SALE OF 1216 NORTH VOLUTSIA.** (District I)

Agenda Report No. 01-1170.

1216 North Volutsia is a city-owned single-family housing unit that was part of the Rehabilitation and Investment Program (RIP). The program was implemented to preserve existing housing stock, and to assist citizens in securing employment in the home rehabilitation/construction trade, by providing on-the-job training through DETAMC. The program was funded with HOME program funds, as well as CDBG funds.

Housing Services has received an offer of \$28,800 for the 3-bedroom home, which has 1,008 square feet of living space. The offer is contingent upon the buyer obtaining first mortgage financing and assistance through the City's HOMEownership 80 Program. The buyer has been pre-qualified for his financing.

The offer calls for the City to pay approximately \$800 of the buyer's loan costs. Following payment of the realtor's commission and other costs applicable to the seller, the City will receive approximately \$23,000, depending on the lender's appraisal/inspection requirements and expenses for lead-paint remediation required under the HOMEownership 80 program.

The sales contract will be approved as to form by the City Law Department.

Motion --  
-- carried

Knight moved that the sale be approved and the necessary signatures be authorized. Motion carried 7 to 0.

### PROPERTY DISP.

#### **SALE OF SURPLUS PROPERTY LOCATED AT 461 ELPYCO.** (District II)

Agenda Report No. 01-1171.

An offer of \$44,500 has been received for the single-family residence at 461 Elpyco which the City owns. The property is developed with a 1,342 square foot frame structure. The house has two bedrooms and one bath. There is an unfinished basement and no garage. The property was acquired for the Kellogg/Oliver Interchange project. A significant portion of the front yard, including two mature trees, were removed to allow construction of a cul-de-sac.

The property has been appraised at \$44,000. The buyer has offered \$44,500. The buyer intends to renovate and occupy the property.

The City will receive cash consideration from the sale of the property at closing.

Motion --  
-- carried

Knight moved that the sale be approved and the necessary signatures be authorized. Motion carried 7 to 0.

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## PROPERTY ACQ.

### ACQUISITION OF 550 S. EDGEMOOR: EAST KELLOGG IMPROVEMENT PROJECT (District II)

Agenda Report No. 01-1172.

The East Kellogg/Woodlawn Improvement Project was released for active acquisition in December 2000. One of the parcels required is a portion of 550 S Edgemoor, owned by Donald Enoch. The planned expansion of Kellogg will require the taking of 20 square feet and a temporary easement of 993 square feet.

The site contains 6,900 square feet and is improved with a 1,129 square foot frame single-family residence. A negotiated value of \$2,550 has been agreed to by the owner for the partial acquisition.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds paid by local sales tax revenues. A budget of \$3,550 is requested. This includes \$ 2,550 for the acquisition, and \$1,000 for closing costs and title insurance.

Motion --  
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## PROPERTY ACQ.

### ACQUISITION OF 551 SOUTH EDGEMOOR. (District II)

Agenda Report No. 01-1173.

The East Kellogg/Woodlawn Improvement Project was released for active acquisition in December 2000. One of the parcels required is a portion of 551 S Edgemoor, owned by Leonard and Lois Jefferies. The site contains 6,700 square feet and is improved with a 1,384 square foot frame single-family residence. The planned expansion of Kellogg will require the taking of 163 square feet and a temporary easement of 438 square feet.

The acquisition and temporary easement were appraised at \$11,500. This amount includes damages to the value of the house, landscaping and a tree. The owners have agreed to settle for this amount.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds paid by local sales tax revenues. A budget of \$ 13,000 is requested. This includes \$ 11,500 for the acquisition, and \$1,500 for closing costs and title insurance.

Motion --  
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

## PROPERTY ACQ

### ACQUISITION OF 556 SOUTH EDGEMOOR. (District II)

Agenda Report No. 01-1174.

The East Kellogg/Woodlawn Improvement Project was released for active acquisition in December 2000. One of the parcels required is a portion of 556 S Edgemoor, owned by Warren and Elizabeth Watkins.. The planned expansion of Kellogg will require a temporary easement of 858 square feet.

The site contains 6,935 square feet and is improved with a 1,176 square foot frame single-family residence. A negotiated value of \$1,800.00 has been agreed to by the owners for the temporary easement.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds paid by local sales tax revenues. A budget of



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\$2,800.00 is requested. This includes \$1,800 for the acquisition, and \$1,000 for closing costs and title insurance.

Motion -- Knight moved that the budget and the Contract be approved; and the necessary signatures be  
-- carried authorized. Motion carried 7 to 0.

## **PROPERTY ACQ. ACQUISITION OF 5520 EAST ORME. (District II)**

Agenda Report No. 01-1175.

The East Kellogg/Woodlawn Improvement Project was released for active acquisition in December 2000. One of the parcels required is a portion of 5520 E Orme, owned by Dorothy Christopher. The planned expansion of Kellogg will require the taking of 88 square feet and a temporary easement of 763 square feet.

The site contains 6,680 square feet and is improved with a 992 square foot frame single-family residence. A negotiated value of \$5,500 has been agreed to by the owner for the partial acquisition.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds paid by local sales tax revenues. A budget of \$6,500 is requested. This includes \$ 5,500 for the acquisition, and \$1,000 for closing costs and title insurance.

Motion -- Knight moved that the budget and the Contract be approved; and the necessary signatures be  
-- carried authorized. Motion carried 7 to 0.

(Addendum Item No. 27)

## **JABARA AIRPORT JABARA AIRPORT HANGAR DEVELOPMENT AGREEMENTS.**

Agenda Report No. 01-1191

On February 6, 2001, the City Council approved development agreements for the development of an executive hangar at Col. James Jabara Airport to be leased to Wichita Air Services, Inc. ("WASI") and Jack P. DeBoer and designated these two jointly as Preferred Developer for the construction of the hangar and related developments. The development agreement provided for the substitution of a final development budget when certain preliminary costs could be finalized. The Council also adopted a bonding resolution that was based on the preliminary budget estimates. The final budget is now available and the bonding resolution needs to be amended.

The bonding resolution (No. 01-039) set a not-to-exceed amount of \$1,000,000 as the City's costs to develop the executive hangar. The final budget amount for City Costs is \$1,150,000. The amended bonding resolution will reflect that not-to-exceed amount.

The City's total cost of the development of the hangar and related improvements is \$1 million. The lease rate of \$6.50 per square foot of hangar space and \$.12 per square foot of land will fully amortize this cost over the 15-year term of the Lease.

Motion -- Knight moved that the Development Agreement and Lease Agreement for the development of an  
-- carried executive hangar at Jabara Airport be approved; the Resolution be adopted; and the necessary  
signatures carried be authorized. Motion carried 7 to 0.

### **RESOLUTION NO. 01-428**

A Resolution amending Section 2 of Resolution No. 01-039 of the City of Wichita, Kansas, authorizing the issuance of General Obligation Bonds of the City of Wichita, Kansas to pay all or a portion of the costs of constructing an aircraft hanger and associated improvements at Jabara Airport, and repealing the original of said Section 2, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

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## ORDINANCES

### SECOND READING ORDINANCES: (FIRST READ OCTOBER 2, 2001)

- a) 2000/2001 Arterial sidewalk and wheelchair ramp program. (Districts I, III, and V)

#### ORDINANCE NO. 45-063

An Ordinance amending Ordinance No. 45-001 of the City of Wichita, Kansas declaring Rock Road from 13th Street North to Polo; Oliver, from Morris to Gilbert; Lincoln, from Bluffview to Oliver; 25th Street North, from Amidon to Garland; Harry, from Hydraulic to 265 feet east of Hydraulic; Mount Vernon, from Lexington to Woodlawn; Webb, from 828 feet south of Kellogg to Kellogg; and wheelchair ramps at various locations (2000/2001 Arterial Sidewalk and Wheelchair Ramp Program), 472-83270, to be main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

- b) ZON2001-00043 – Limited Industrial to Extend the Old Town Protective Overlay District. (District VI)

#### ORDINANCE NO. 45-064

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. ZON2001-43

- c) ZON2001-00050 – Between Terrace and Pershing, North of Central. (District II)

#### ORDINANCE NO. 45-065

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. ZON2001-50

- d) ZON2001-00052 – Taft and Emerson, east of Holland Lane. (District V)

#### ORDINANCE NO. 45-066

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. ZON2001-52

- e) A01-16 – Northeast corner of Pawnee and Webb Road. (District II)

#### ORDINANCE NO. 45-067

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. A01-16

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(Item 29)

WER ORDINANCE

## **EMPLOYEE'S RETIREMENT SYSTEM ORDINANCE TO ACCOMMODATE TRANSFER OF FUNCTIONS BETWEEN CITY OF WICHITA AND SEDGWICK COUNTY – HEALTH DEPARTMENT.**

Agenda Report.

The City of Wichita and Sedgwick County have discussed the transfer and/or exchange of operational functions in the past including the proposed transfer of the City's Crime Lab to the County in 1996. As a result of those discussions, House Bill 2555 was passed amending the State Statute governing the Kansas Public Employees Retirement System (KPERS) to allow City of Wichita employees, who are administratively transferred to the County, the option of remaining in the Wichita Employees' Retirement System (WERS) if they were vested at the time of transfer. In order to implement the State Statute, similar changes in the WERS ordinances would have been required. Transfer of the Crime Lab was not done nor was the WERS ordinance revisions.

The City and County have announced the transfer of administrative responsibility of some Health Department functions to Sedgwick County effective January 1, 2002.

Although KPERS statutes were amended allowing transferred vested employees to select which retirement plan (WERS or KPERS) they desired to participate in, similar provisions were not adopted in the City Ordinance governing the Wichita Employees' Retirement System. These proposed revisions are consistent with the State Statute, which allow transferred vested defined benefit employees to select their retirement plan at the time of transfer. In addition, the revisions allow employees transferred to City employment from Sedgwick County to utilize documented County service to meet WERS vesting requirements.

Employee and employer contributions for all members are actuarially determined to insure that the Retirement System does not assume an unfunded liability. In the event the required contributions are not made by Sedgwick County, transferring employees may not continue participation in WERS.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- carried

Knight moved that the Ordinance be placed on first reading. Motion carried 7 to 0.

### ORDINANCE

An Ordinance amending Sections 2.28.040, 2.28.120, 2.28.250, 2.28.260 and creating Section 2.28.045 of the Code of the city of Wichita, Kansas, pertaining to other governmental service as it relates to the Wichita Employees' Retirement System and repealing the originals of said Sections, introduced and under the rules laid over.

### **PLANNING AGENDA**

Marvin Krout

Director of Planning stated that the Planning Agenda could be considered as consensus unless the Council desired to withhold Items.

Motion -- carried

Pisciotta moved that the Planning Agenda be approved as consensus Items. Motion carried 7 to 0.

SUB2001-79

### **SUB2001-79 – PLAT OF VILLA CRISTI SECOND ADDITION LOCATED ON THE SOUTH SIDE OF SECOND STREET, EAST OF SHERIDAN.** (District IV)

Agenda Report No. 01-1178.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (10-0)

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A zone change (PUD-2001-00003) from TF-3, Two-Family Residential to PUD, Planned Unit Development has been approved for this site subject to platting. The PUD is intended for senior residences and office/community assembly space.

A sidewalk certificate has been submitted for construction of sidewalks along Second Street. A PUD Certificate was provided identifying the approved PUD and its special conditions for development.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days. Publication of the ordinance should be withheld until such time as the Plat is recorded with the Register of Deeds.

The Sidewalk Certificate and PUD Certificate will be recorded with the Register of Deeds.

Motion --  
-- carried

Knight moved that the documents and Plat be approved; the necessary signatures be authorized; and the PUD-2001-00003 Ordinance be placed on first reading Motion carried 7 to 0.

## ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by Section 28.04.210, the Code of the City of Wichita, Kansas, introduced and under the rules laid over. (PUD-2001-00003)

SUB2001-89

### **SUB2001-89 – PLAT OF WOODHAVEN ADDITION LOCATED ON THE NORTHEAST CORNER OF 55TH STREET SOUTH AND HOOVER.**

Agenda Report No. 01-1179.

Staff Recommendation: Approve the plat.  
MAPC Recommendation: Approve the plat. (10-0)

This plat is located in the County within three miles of Wichita's City limits. The site has been approved by the Sedgwick County Commission for a zone change (ZON 2001-10) from SF-20, Single-Family Residential and LC, Limited Commercial to LI, Limited Industrial, in addition to a Conditional Use (CON 2001-08) for a solid waste transfer station.

The site has been approved by the County Health Department for the use of on-site sanitary sewer and water facilities. A restrictive covenant was required by County Health Department assuring that only residential-type wastes would be generated until such time that a sanitary sewer system becomes available. Petitions, all 100%, have been submitted for future extension of sanitary sewer and City water. Petitions for traffic improvements will be handled by the County. Both a City and County Certificate of Petitions have also been submitted. In order to provide for the ownership and maintenance of the reserves, the applicant has submitted a restrictive covenant.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificates of Petitions and restrictive covenants will be recorded with the Register of Deeds.

Motion --  
-- carried

Knight moved that the documents and Plat be approved; the necessary signatures be authorized; and the Resolutions be adopted. Motion carried 7 to 0.

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## RESOLUTION NO. 01-429

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89627, (east of Hoover, north of 55<sup>th</sup> Street South) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

## RESOLUTION NO. 01-430

Resolution of findings of advisability and Resolution authorizing construction of Lateral 478, Southwest Interceptor Sewer (east of Hoover, north of 55<sup>th</sup> Street South) 468-83345, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight.

**Z-3329**

### **Z-3329 – EXTENSION OF TIME TO COMPLETE PLATTING REQUIREMENTS FOR A ZONE CHANGE FROM MULTI-FAMILY RESIDENTIAL TO NEIGHBORHOOD RETAIL – NORTH OF 37TH STREET NORTH, EAST OF WOODLAWN.** (District II)

Agenda Report No. 01-1180.

Staff Recommendation: Approve six-month extension of time to complete platting.

On September 14, 1999, the City Council approved a zone change from “MF-18” Multi-Family Residential to “NR” Neighborhood Retail on property generally located north of 37th Street North and east of Woodlawn. Approval of the zone change was subject to the condition of platting the property within one year. The final plat of the property was approved by the MAPC on July 13, 2000; however, the applicant indicated that the drainage plan for the property required an off-site drainage easement from an adjoining property owner, which prevented completion the plat prior to the deadline. Therefore, staff approved an extension of time to complete platting to September 14, 2001, pursuant to MAPC Policy Statement No. 5. The applicant indicates that the process of securing the off-site drainage easement is not complete; therefore, the applicant has requested an additional six-month extension of time to complete platting. MAPC Policy Statement No. 5 indicates that second extensions of time to complete platting require City Council approval.

Motion --  
-- carried

Knight moved that the six-month extension of time to March 14, 2002, be approved. Motion carried 7 to 0.

**DED2001-26**

### **DED2001-26 – DEDICATION OF UTILITY EASEMENT BETWEEN DOUGLAS AND MAPLE, ON THE WEST SIDE OF RIDGE ROAD.** (District V)

Agenda Report No. 01-01-1189.

This Dedication is a requirement of Zoning Case No. ZON 2001-41, and is being dedicated to conform with the 10-foot standard.

The Dedication has been reviewed and approved by the Planning Commission.

The Dedication will be recorded with the Register of Deeds.

Motion -- carried

Knight moved that the Dedication be accepted. Motion carried 7 to 0.

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HPC2001-00117

## **HPC2001-00117 – WICHITA REGISTER OF HISTORIC PLACES LANDMARK DESIGNATION FOR EDWARD MICHAEL KELLY RESIDENCE AT 1711 NORTH MARKET.** (District VI)

Agenda Report No. 01-1181.

MAPC Recommendation: Approve Wichita Landmark Designation (10-0)

HPB Recommendation: Approve Landmark Designation (7-0)

Staff Recommendation: Approve Landmark Designation

DAB Recommendation: Approve (8-0)

The applicant is requesting the structure located at 1711 N. Market be designated as a Wichita Historic Landmark. The frame building was built in 1910 and has had few modifications since its construction. It is an example of Greek Revival four-square with three fluted Ionic columns topped with ornate carvings and supporting a pediment shaped portico with a second story speaker's porch. The structure also has a maid/servant bedroom at the back. The interior seems to have had few modifications.

The house was built by Elmer S. Brodie, a real estate speculator in 1910, and bought by Edward Michael Kelly in 1914. Mr. Kelly was educated at Notre Dame and Wichita University and was president and manager of Commerce Milling and Elevator Company, as well as manager of Edward Kelly Grain Company. Mr. Kelly also served as Treasurer for the Wichita Board of Trade for 10 years and its President for one term. He was listed in "Who's Who of Wichita 1929."

The Edward Michael Kelly Residence meets the following criteria for listing in the Wichita Register of Historic Places:

- a. Character, interest or value as part of the development, heritage, or cultural characteristics of the City of Wichita, State or United States - Representative of an upper middle-class family residence of 1910; the resident was a miller and grain dealer in early Wichita and served as an officer of the Wichita board of Trade.
- b. Embodiment of distinguishing characteristics of an architectural type or specimen – Greek Revival architecture with fluted Ionic columns supporting a pediment shaped portico with a second story speaker's porch. Each corner has fluted pilasters.
- c. Relationship to other distinctive buildings, sites or areas which are eligible for preservation according to a plan based on historic, cultural or architectural significance - The property is adjacent to the locally designated Park Place/Fairview Historic District.

The land use surrounding the application area consists of single-family homes and is compatible with the zoning on adjacent properties.

At the MAPC hearing on September 20, 2001, the property owner spoke in favor of the request. The MAPC voted (10-0) to approve the request as presented by staff.

At the DAB IV hearing on September 5, 2001, staff presented the case. The DAB voted (8-0) to approve the request.

Local landmark designation will require the property owner to have all exterior modifications, alterations and addition that require the issuance of building or other permits, including demolitions, to be reviewed by the Historic Preservation board, except for "emergencies." Landmark designation also qualifies the property owner to be eligible to apply for funds through the Revolving Historic Loan Program. The underlying land use for the designated property does not change and local designation does not trigger design review of adjacent properties.

Motion --

-- carried

Knight moved that Council concur with the findings of the MAPC and approve the Historic Landmark designation; and the Ordinance establishing the zoning overlay be placed on first reading. Motion carried 7 to 0.

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## ORDINANCE

An Ordinance designating as a historic landmark certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010 and Section 2.12.1018, as amended, introduced and under the rules laid over.

A01-15

**A01-15 – RESOLUTION ESTABLISHING A FUTURE PUBLIC HEARING ON ANNEXATION OF ELIGIBLE PROPERTIES GENERALLY LOCATED NORTH OF 21ST STREET NORTH, EAST AND WEST OF HOOVER.** (District V)

Agenda Report No. 01-1182.

The properties proposed for annexation are located north of 21st Street North and east and west of Hoover. A resolution for consideration by the City Council to establish a future public hearing date of December 18, 2001, for consideration of a unilateral annexation.

This is the fifth phase of a six-phase annexation initiative that began in the spring of 2000. The first phase, which brought 611 acres and 47 properties into the City, was approved on July 18th, 2000. The second phase was approved on November 21st, 2000, and brought 92 acres and 42 properties into the City. The third phase was approved on April 17, 2001, bringing 56 acres and 36 properties into the City of Wichita. The fourth phase was approved on August 14, 2001, bringing 21 acres and 29 properties into the City of Wichita.

The subject area for this fifth phase consists of approximately 26 acres and 13 properties (all are unplatted). The land-use pattern for this phase of annexation consists of 13 residential tracts that are primarily residential uses. The subject property is zoned "SF-20" Single-Family Residential. These areas will convert to the "SF-5" Single-Family Residential district upon annexation ("SF-10" if requested by property owner and approved by the governing body), while other properties will retain their existing zoning.

The majority of the land proposed for annexation is located within the area identified as "low-density residential", with some "commercial" and "industrial" areas intermixed, according to the 1999 Update to the Wichita-Sedgwick County Comprehensive Plan: Preparing for Change Land Use Guide Map. Additionally, the proposed annexation area is located within the "2010 Urban Service Area" boundaries found in the Comprehensive Plan amendments. The land use pattern within the annexation area is generally consistent with its land use designation in the updated Plan.

The proposed annexation will allow for the continuation of the City's growth in the northwest part of Wichita. All properties in the proposed annexation area are currently being served by private systems. According to the City Water and Sewer Department, there are City of Wichita water mains located within portions of 29th Street, Hoover Road, and Ridge Road, from which service could be extended. .Map #6 also illustrates the size of future water mains to serve this area as development continues in that area.

As for sewer, all of the properties in the proposed annexation area are currently being served by private sanitary sewer systems. Sewer lines are being brought into newer developments surrounding the annexation area from which service could be extended. Much of the area proposed for annexation lies within Sanitary Sewer Basin 4 (bounded generally by the Wichita-Valley Center Flood Control Project, 21st Street North, Maize Road, and 45th Street North). A study was completed in February 2000 to show how sanitary sewer service can be extended to serve Basin 4. Construction of sewer mains has not been scheduled at this time.

To proceed with this annexation, the Council must adopt a resolution establishing a hearing date. Once the hearing date is established, a plan for extension of municipal services to the area will be placed on file in the City Clerk's Office. The Service Extension Plan outlines the City's intention to provide major municipal services to the area.

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The total appraised value of the land and improvements proposed for annexation is \$624,190 resulting in an annual City Ad Valorem tax revenue of approximately \$2,258. Major municipal services to be provided to this area upon annexation are street maintenance, ditch cleaning, culvert cleaning, fire protection, police protection, building code enforcement, and health code enforcement. The operating departments currently delivering these services will fund them upon annexation. Major municipal services, such as local street improvements, water and sewer service, may be provided to this area upon request of the property owners. The cost of municipal services requested by the property owners will be distributed among the City at large and the benefiting property owners according to current City policies.

In the absence of an annexation request from a property owner, State law requires the adoption of a resolution by the City Council indicating the City's intent to annex, a description of the property to be annexed, and a notice of the time and place for a public hearing to consider the matter. Copies of the resolution must be sent (via certified mail) to all owners of the properties proposed for annexation within 10 days of adoption. Also, the resolution must be published once in the official City newspaper not less than one week and not more than two weeks prior to the public hearing date. A report stating the plans for the extension of municipal services to the proposed annexation area must also be placed on file for public inspection in the City Clerk's Office.

Motion --

Knight moved that the service plan be approved and the Resolution setting the hearing date on December 18, 2001, at 7:00 p.m. at the Sedgwick County Extension Office, 7001 West 21st Street North be adopted. Motion carried 7 to 0.

-- carried

## RESOLUTION NO. R-01-431.

A Resolution declaring an interest in, and establishing a public hearing date for considering the unilateral annexation of property located north of 21<sup>st</sup> Street North, and east and west of Hoover to the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gale, Lambke, Martz, Pisciotte, Knight. (A01-15)

A01-17

### **A01-17 – ANNEX LAND GENERALLY LOCATED AT SOUTHEAST CORNER OF 21ST STREET NORTH AND 127TH STREET EAST.** (District II)

Agenda Report No. 01-1183.

The City has received a request to annex approximately 20 acres situated at the southeast corner of 21st Street North and 127th Street East. The site abuts the City of Wichita to the north and west. The property owner is planning to develop the site with multiple commercial buildings totaling approximately 305,000 sq/ft. The staging of development has been planned over multiple years, with 100% of development projected to occur within 10 years.

Land Use and Zoning: The annexation site is presently in agricultural use and consists of one (1) undeveloped tract of land zoned "LC" Limited Commercial. The property owner does not anticipate requesting any change in zoning. Land east and south of the site is zoned "SF-20" Single Family Residential, while property north of the proposed annexation site is zoned "GC" General Commercial. Property west of the site zoned "SF-5" Single Family Residential.

Public Services: The City Water and Sewer Department indicates that the subject property proposed for annexation will likely connect to a 16" water main along 127th Street East. In addition, the proposed annexation area could connect to a 30" water main located along 21st Street North if necessary. Concerning sewer, an agreement between the developer and the Water and Sewer Department regarding extension of sanitary sewer lines is still being formulated.

Street System: The property proposed for annexation will have access to 127th Street East, which serves the area as the nearest major north-south road, and 21st Street North, which serves the area as the nearest major east-west road. 21st Street North is a four-lane arterial with a center turn lane, while 127th Street East is a two-lane arterial. There are no other plans to further improve these sections of



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road in either the 2001-2010 City of Wichita Capital Improvement Plan (C.I.P.) or the 2001-2005 Sedgwick County Capital Improvement Program (C.I.P.).

Public Safety: The Wichita Fire Department can serve this site within a six (6) to eight (8) minute approximate response time from City Station #18 located at 2808 N Webb Rd. Additionally, the Sedgwick County Fire District can serve this site within a seven (7) to nine (9) minute approximate response time from County Station #33 located north of the intersection of 143rd Street East and Central. Upon annexation, police protection will be provided to the area by the Patrol East Bureau of the Wichita Police Department, headquartered at 350 S. Edgemoor.

Parks: The park and open space plan, Parks and Pathways, indicates that there are currently no facilities that contain the proposed annexation site within its service area. Additionally, the plan does not provide for the development of any future park space near the proposed annexation site.

School District: The property is located in Unified School District 259 (Wichita School District). Annexation will not change the school district.

Comprehensive Plan: The property is also located within the Wichita 2010 and 2030 urban service area, as depicted in the 1999 Update to the Comprehensive Plan, adopted last year by the City Council.

The property proposed for annexation has not yet been platted. The total assessed value of the property is \$7,058. The future assessed value of this property will depend on the timing of development, the type of development, and the current mill levy. However, the applicant projects an overall appraised value of \$18,311,220 when development is completed, resulting in an assessed value of \$2,197,346. Assuming the current City levy remains about the same (\$31.406/\$1000 x assessed valuation), this would roughly yield \$69,010 in City annual tax revenues.

The property is eligible for annexation under K.S.A. 12-519, et seq.

Motion --  
-- carried

Knight moved that the annexation be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

## ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, introduced and under the rules laid over. A01-17

## AIRPORT AGENDA

Knight moved that the Airport Agenda be approved as consensus Items. Motion carried 7 to 0.

## AIRPORT

### HVAC IMPROVEMENTS.

Agenda Report # 01-1184.

The 2001 Capital Improvement Program (CIP) allows for HVAC Improvements.

It is necessary to study the administration building due to the high cost of operating and maintaining the HVAC system. The system cannot handle the high system temperatures.

A budget of \$10,000 will be established to study the current system. If during the study it is found that improvements are needed, the budget will be adjusted; however, the project will not exceed the CIP amount of \$115,000 which will be funded with General Obligation Bonds paid by airport revenues.

Motion -- carried

Knight moved that the project and selection of a consultant be approved. Motion carried 7 to 0.

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## AIRPORT

### ROOF REPLACEMENTS – SUPPLEMENTAL AGREEMENT.

Agenda Report # 01-1185.

City Council approved the Howard and Helmer Architects' design contract on April 24, 2001.

A supplemental agreement has been prepared to provide construction-related services.

The cost of the construction-related services is \$12,385, and is within the project budget.

Motion --  
-- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

### EXECUTIVE SESSION

Motion --  
  
-- carried

Knight moved that the City Council recess and move to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to pending litigation and legal advice; personnel matters of non-elected personnel; and preliminary discussions relating to the acquisition of real property for public purposes; and that the Council return from executive session at approximately 11:00 a.m. Motion carried 7 to 0.

### RECESS

The City Council recessed at 10:32 a.m. and reconvened at 11:07 a.m.

(The City Council took up Item 6; action is shown in Agenda Order.)

Motion --  
  
-- carried

Knight moved that the City Council recess and move to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to legal advice, and personnel matters of non-elected personnel; and the City Council return from executive session at approximately 11:30 a.m. Motion carried 7 to 0.

### RECESS

The City Council recessed at 11:09 a.m. and reconvened at 11:45 a.m.

### Vice Mayor Pisciotte

Vice Mayor Pisciotte announced that no action was necessary as a result of the executive session.

### ADJOURNMENT

The City Council meeting adjourned at 11:45 a.m.

Pat Burnett CMC  
City Clerk